

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 2, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Merciful Father in Heaven, do Thou bring Thy truth to the understanding and to the consciences of this chosen assembly of public servants. While it is weakened and made imperfect by our interpretation, do Thou inspire it and give it direction in all our deliberations. O Thou from whose example we learn to love and to sacrifice, may Thy high spiritual qualities be expressed in our lives, and teach us to promote peace and good will among our fellow men. Bring us at last through joy and through sorrow to Thine own blessed immortality. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H. R. 2673. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a bridge across the Arkansas River at or near the city of Ozark, Franklin County, Ark.;

H. R. 5672. An act to abolish the Papago Saguaro National Monument, Ariz., to provide for the disposition of certain lands therein for park and recreational uses, and for other purposes;

H. R. 6123. An act to allow credit to homestead settlers and entrymen for military service in certain Indian wars;

H. R. 6133. An act granting the consent of Congress to the township of Aurora, Ill., to construct, maintain, and operate a free highway bridge across the Fox River at or near the village of North Aurora, Ill.;

H. R. 8156. An act to change the limit of cost for the construction of the Coast Guard Academy;

H. J. Res. 274. Joint resolution making an appropriation for participation by the United States in the International Conference for the Codification of International Law to be held at The Hague in 1930;

H. J. Res. 278. Joint resolution making an appropriation for participation by the United States in the International Fur Trade Exhibition and Congress to be held in Leipzig, Germany, in 1930; and

H. Con. Res. 27. Concurrent resolution authorizing the appointment of a joint committee to attend the two hundred and fiftieth anniversary of the city of Charleston and the two hundred and sixtieth anniversary of the founding of the Province of Carolina, to be held in Charleston, S. C., April 10 to 13, 1930.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 7960. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 8807. An act to provide for the coordination of the public-health activities of the Government, and for other purposes; and

H. R. 8960. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5616) entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 3168) entitled "An act to amend the act entitled 'An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington,' by adding thereto two new sections, to be numbered sections 8 and 9."

The message also announced that the Senate has passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 90. An act relating to pardons;

S. 118. An act for the relief of Lyn Lundquist;

S. 119. An act for the relief of Nellie Kildee;

S. 180. An act to legalize a bridge across St. Johns River 2½ miles southerly of Green Cove Springs, Fla.;

S. 286. An act for the relief of Thelma Phelps Lester;

S. 320. An act authorizing reconstruction and improvement of a public road in Wind River Indian Reservation, Wyo.;

S. 471. An act providing for a 44-hour week for certain Government employees;

S. 476. An act granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes;

S. 477. An act to revise and equalize the rate of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows of such soldiers, sailors, and marines, and granting pensions and increase of pensions in certain cases;

S. 486. An act to amend section 5153 of the Revised Statutes, as amended;

S. 498. An act granting certain public lands to the State of New Mexico for the use and benefit of the Eastern New Mexico Normal School and for other purposes;

S. 550. An act to regulate the distribution and promotion of commissioned officers of the line of the Navy and for other purposes;

S. 571. An act to amend section 204 of the act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes," approved February 28, 1920;

S. 941. An act to amend the act entitled "An act to regulate interstate transportation of black bass and for other purposes," approved May 20, 1926;

S. 958. An act granting increase of pensions under the general law to soldiers and sailors of the Regular Army and Navy, and their dependents, for disability incurred in service in line of duty, and authorizing that the records of the War and Navy Departments be accepted as to incurrence of a disability in service in line of duty;

S. 1171. An act to establish and operate a national institute of health, to create a system of fellowships in said institute, and to authorize the Government to accept donations for use in ascertaining the cause, prevention, and cure of disease affecting human beings, and for other purposes;

S. 1203. An act authorizing the Secretary of the Interior to convey certain lands to the county of Douglas, Oreg., for park purposes;

S. 1268. An act authorizing the States of Illinois and Indiana to construct, maintain, and operate a free highway bridge across the Wabash River, at or near Vincennes, Ind.;

S. 1293. An act to amend an act entitled "An act to increase the pensions of certain maimed veterans who have lost limbs or have been totally disabled in the same, in line of duty, in the military or naval service of the United States; and to amend section 4788 of the Revised Statutes of the United States by increasing the rates therein for artificial limbs," approved February 11, 1927 (U. S. C., Supp. 1, title 38, sec. 168a);

S. 1413. An act to amend section 2 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912, as amended;

S. 1578. An act to extend the times for commencing and completing the construction of a bridge across the Illinois River, at or near Peoria, Ill.;

S. 1645. An act to amend section 876 of the Revised Statutes;

S. 1760. An act for the relief of St. Paul's Episcopal Church, Selma, Ala.;

S. 1811. An act providing for a study regarding the construction of a highway to connect the northwestern part of the United States with British Columbia, Yukon Territory, and Alaska in cooperation with the Dominion of Canada;

S. 2114. An act granting the consent of Congress to the board of county commissioners of Georgetown County, S. C., to construct, maintain, and operate a free highway bridge across the Pee Dee River, and a free highway bridge across the Waccamaw River, both at or near Georgetown, S. C.;

S. 2481. An act for the relief of Cicero A. Hilliard;

S. 2515. An act allowing the rank, pay, and allowances of a colonel, Medical Corps, United States Army, or of a captain, Medical Corps, United States Navy, to any medical officer below such rank assigned to duty as physician to the White House;

S. 2591. An act to provide for the commemoration of the action at Tuscaloosa, Ala.;

S. 2592. An act to provide for the commemoration of the siege of Blakely, Ala.;

S. 2593. An act to provide for the commemoration of the Battle of Burnt Corn, Ala.;

S. 2594. An act to provide for the commemoration of the surrender of the forces commanded by General Taylor to General Canby at Citronelle, Ala.;

S. 2595. An act to provide for the commemoration of the historic events which occurred at Fort Williams, Ala.;

S. 2596. An act to provide for the commemoration of the battle at Talladega, Ala.;

S. 2597. An act to provide for the commemoration of the historic events which occurred at Fort Mitchell, Ala.;

S. 2598. An act to provide for the commemoration of the historic events which occurred at Jackson Oak, Ala.;

S. 2599. An act to provide for the commemoration of the massacre at Fort Mims, Ala.;

S. 2600. An act to provide for the commemoration of the siege of Spanish Fort, Ala.;

S. 2601. An act to provide for the commemoration of the historic events which occurred at Fort Tombeckee, Ala.;

S. 2602. An act to provide for the commemoration of the historic events which occurred at Fort St. Stephens, Ala.;

S. 2603. An act to provide for the commemoration of the historic events which occurred at Fort Jackson (Fort Toulouse), Ala.;

S. 2604. An act to provide for the commemoration of the historic events which occurred at Fort Stoddard, Ala.;

S. 2719. An act granting the consent of Congress to the superintendent of public works of the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at the southerly extremity of the city of Troy;

S. 2890. An act granting the consent of Congress to compacts or agreements between the States of Oregon, Washington, Idaho, Montana, and Wyoming with respect to the division and apportionment of the waters of the Columbia River and all other streams in which such States are jointly interested;

S. 3134. An act granting an increase of pension to Eda Blankart Funston;

S. 3249. An act to amend section 4578 of the Revised Statutes of the United States respecting compensation of vessels for transporting seamen;

S. 4027. An act to legalize a bridge across the American channel of the Detroit River leading from the mainland to Grosse Isle, Mich., and about 16 miles below the city of Detroit, Mich.;

S. J. Res. 56. Joint resolution to amend section 2 of the act of February 25, 1927 (44 Stat. L., pt. 2, p. 336); and

S. J. Res. 95. Joint resolution authorizing the erection of a memorial building to commemorate the winning of the Oregon country for the United States.

ADDRESS OF HON. CHARLES I. SPARKS, OF KANSAS

Mr. JOHNSON of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* by printing therein a speech delivered by the gentleman from Kansas [Mr. SPARKS] delivered yesterday afternoon before the Woman's Christian Temperance Union.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the *RECORD* by printing an address delivered by the gentleman from Kansas [Mr. SPARKS]. Is there objection?

There was no objection.

The speech was as follows:

PROHIBITION

Mrs. President, members of the Woman's Christian Temperance Union, and ladies, I assure you that I deeply appreciate this honor of appearing before you to-day for the purpose of discussing problems which affect the very existence of our Nation.

We can look back through the misty past and see the little bands of women gathered in almost every community in this country for the purpose of planning the best method of combating the liquor evil. Its evil effects had left its trail of broken homes, fatherless children, and immature graves from the sunny clime of Florida to the frozen wastes of Alaska. Its influences stifled the aspirations of budding manhood by depriving him of the means by which he might equip himself for the better and larger things of life and that which should have built for him a foundation upon which he could have built in accordance with his developing ability, a structure that would have enabled him to attain the goal of his ambitions, was squandered in

the debauchery of an unworthy father. Its influences stifled the crying demands of hungry children for something to eat, and that which should have bountifully supplied their wants was spent in the physical and financial ruin of a faithless father. Its influences actuated frail wives to brave the perils of the cold wintry blasts when the sun had hidden its rays in the cloak of darkness to seek the prison where her husband was confined and to beg for his release, all because in a moment when his reason was dethroned he murderously assaulted his neighbor. It degraded the home by bringing within view of little, innocent children the inhuman acts of drunken fathers and sometimes drunken mothers.

With such pictures before them, and living in such an environment, they grew to manhood and womanhood reconciled to its evil effects, and, perhaps, traveling the same journey during their mature years as they traveled through the tempestuous days of childhood. With such conditions rocking the very stability of our Nation, puncturing the very fabric of government with corruption and lessening the mental capabilities of men and women, as designed and intended by the Creator, those brave and courageous women steadily marched onward, encountering obstacles that seemed almost unsurmountable, but, nerved by the justice of their cause and directed by the hand of Providence, they never faltered, and the clouded national horizon of the past was finally brightened by the light emanating from the enactment of the eighteenth amendment, which enactment was largely made possible because of the persistent, widespread, and effective campaign of the Woman's Christian Temperance Union.

With the adoption of the eighteenth amendment, many enthusiastic supporters of the temperance cause slackened their efforts and relied entirely upon the efficacy of the amendment to produce the desired results. Without a sympathetic and cooperative support, this amendment and its enforcing provisions will be but idle words. It must be put into action by active, courageous, and loyal citizens of this country who stand for obedience to law and the integrity of our Constitution.

There must be no relaxation; the battle must go on until those who would destroy this amendment and its enforcing provisions, defying the rule of the majority, shall understand that obedient American citizenship will not tolerate criminal and lawless elements controlling and dominating this country and its policies. It is not characteristic of the spirit of true Americanism to yield to forces of such degrading tendencies. We are moving forward in the greatest march of progress that the world has ever known. Shall we, then, halt in the midst of this march and turn our faces backward toward the awful scenes that lie in the not very distant past? God forbid that loyal Americanism will permit the occurrence of such an event. If the forces who favor the principles contained in the eighteenth amendment will give it their unstinted and generous support in acts and words, there need be no fear of the result.

We should be careful lest we give aid and comfort to the enemies of the cause of temperance. Merchants, and others, who solicit the support of the public in legitimate transactions, very frequently are encouraging violations of law and a disrespect for our Constitution by advertising and demonstrating in their show windows the very utensils with which to nullify the law. Such individuals or corporations should not receive the support, even in the smallest financial way, of anyone who believes in the supremacy of our Constitution and the laws of our land. By giving them our patronage, whether large or small, we assist in maintaining them, and in so doing we are helping to place them in a position whereby they may invite and encourage violations of law.

If they understand that law-abiding citizens of this country will not give them their patronage as long as they continue to be a menace to good government, it may have a forceful effect upon deterring them from participating in such wrongful practices.

The opponents of the eighteenth amendment say that it violates their personal liberties. Why should this particular addition to our Constitution incite their hostility more than other abridgments of their personal rights therein contained? The individual is prohibited from participating in slavery, from making currency, from participating in treasonable acts toward his Government, all of which circumscribe the rights of the individual.

But, he rejoins, they are not violations of his rights to decide what he shall eat and drink. We have not heard him complain of the pure food laws, yet they are regulations against which he so vigorously complains. Whenever the rights enjoyed by the individual materially affect the happiness, life, and the economic progress of his neighbors or the members of his family then he has exceeded the boundary of proper restrictive limitations. No person should be granted that freedom of action which will enable him to transgress upon the necessary and reasonable rights of others. The supremacy of the individual should not prevail over the rights of the majority. Restrictions for the enjoyment of God-given rights should not be demoralized by the excessive use of liberties by the individual. The individual should be so circumscribed in his liberties that he will not be a menace to the life and happiness of others.

What person will defend an individual who dethrones his reason by using intoxicating liquor to such an extent that he becomes a demon

with destructive tendencies, and then goes forth and takes the life of innocent womanhood who has just crossed the threshold of mature years, and who has just been rewarded for her toil and industry by receiving a diploma from a well-recognized institution of learning, who, because of his unrestrained and excessive exercise of individual liberty, consigned the flower of young womanhood to an premature grave, which created in her home a vacant chair and left a heartbroken mother, whose remaining days will be saddened, and perhaps shortened, because her baby, the sunshine of that home, was sacrificed upon the altar of a liquor-maddened individual for the free exercise of his personal liberty?

In the hearings that are being conducted by the Judiciary Committee of the House of Representatives, admissions have been made by nearly all who have been contending before that committee for the repeal of the eighteenth amendment, that they do not want the return of the saloon. By that admission they admit the use of liquor is an evil, and having thus admitted, are we to compromise with evil? Such advocates suggest that the Government constitute the medium through which the consumer and the manufacturer are brought in contact.

Shall the corruption, degrading tendencies, and incubators of crime, which so prominently characterized the operation of the saloons, permeate our governmental structure? It was even suggested that a commission, consisting of antisaloon forces and the clergy, should be selected by some proper governmental authority for the purpose of administering the distribution of liquor through Government channels from the maker to the user. That is an illustration of the absurdity of such suggestions. All must agree, when forced to an honest conclusion, that the repeal of the eighteenth amendment would mean the return of the saloon in at least those States that favor granting to the people thereof intoxicating liquors. It would also mean, with our improved means of transportation, that no State, no matter how antagonistic it may be to the dispensation of liquor, would be unable to protect its citizens from the hazards of greedy and daring violators of the law. Instead of only having border patrols along our national boundaries, each State would require such patrols along its borders where it would be bounded by a liquor State, and thereby would place a financial burden upon that State which could not be rightfully borne.

Instead of the States being obligated to such a course, it is the duty of the Federal Government to bear this burden for them. It is suggested, however, that Federal control means a wrongful usurpation of rights which belong to the State.

If that argument is sound, then, why would not a State's abolition of liquor also be a wrongful usurpation of the rights of the smaller municipalities of its domain, and so on down to the smallest political subdivision therein? The adoption of such a principle would produce endless confusion and unrestrained liberties in handling liquor that would sever our country into rival factions and ultimately might produce civil war.

Our Government is founded upon the principle that rules and regulations governing the conduct of the people shall be established by a majority vote. Such being true, and when any regulation or rule has been thus adopted, no person or persons who do not agree with them have the right to openly defy and violate them. If such liberty existed, we could not have any stability for any of our rules and regulations.

There are few, if any, rules and regulations governing the conduct of people that meet the approval of the entire people of this country. Such being true, we always have those who disagree with them, and if they are privileged to obey such laws and regulations as meet their approval, then we would have a conflict of beliefs that would destroy Government. In order to insure the perpetuity of this Government and the principles for which it stands, we must have obedience to and respect for those laws which have been sanctioned by the majority.

The person or persons who are not willing to circumscribe their activities along such lines are unworthy of the heritage bequeathed to them by the generous ancestry of the past, and they are not entitled to the protection which is accorded to them in the enjoyment of the rights which they exercise. They can not expect to receive a generous support for those privileges which they believe themselves entitled to when they deny to others the privileges accorded to them under the law, and which they are not in sympathy with, for they have no right to constitute themselves the final tribunal that weighs and determines the rights and privileges which their fellowmen may exercise. There is not a single substantial ground upon which to base any reason for the use of intoxicating liquor as a beverage. It has no use as a food, and other substitutes with equal effectiveness can be used for medicinal purposes. It has a harmful effect upon the human body, destroys the reason of man, and enthrones therein imaginary, destructive, and degrading tendencies. Its use is not conducive to the well-balanced judgment of the man or woman who is solving the perplexing problems of this great industrial age.

To meet the requirements of remaining in the front ranks of this wonderful Nation of progress, we must be equipped with the keenest mental attributes which God and his wisdom has provided for us. To willingly subject ourselves to the controlling influences that occur from the use of intoxicating liquors, will subject ourselves, and those with whom we

come in contact, to disaster to that degree wherein we are mentally impaired to meet such an obligation.

Our duty to our home, our loved ones, and to our country exacts that we face the problems of life with mental equipment that will enable us to clearly understand our obligations and our responsibilities to our Government and to ourselves.

The good judgment of the people of this country has prevailed in every national crisis, and by the virtue of the justice of the cause for which temperance stands our Nation will not shirk its responsibility but support it by an enlightened public conscience, and it will triumph against the onslaught of those who would stress their personal-liberty privileges above the common good of the people of this country. Supported by a loyal and patriotic people who believe in the supremacy of the Constitution and guided by a Divine Providence, the cause of temperance shall not fail, and our flag, the emblem of the greatest country upon the face of the earth, shall continue to float over a Nation that has the purest, the noblest, and the most beneficent laws of any nation upon the face of the earth.

"THE UNFINISHED BATTLE"

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* and to insert therewith a statement from the American Legion Monthly on the subject of veterans' relief.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the *RECORD* and to include a statement from the American Legion Monthly. Is there objection?

Mr. UNDERHILL. Mr. Speaker, reserving the right to object, the gentleman from Mississippi is well aware that these newspaper and magazine articles, no matter what their origin may be, have been consistently and conscientiously objected to, and I propose to carry that out whether the article comes from the American Legion Monthly, the Christian Science Monitor, or the Baltimore Sun. I object.

Mr. RANKIN. Will the gentleman withhold that for a moment or two?

Mr. UNDERHILL. Yes.

Mr. RANKIN. The article I refer to consists of only two short paragraphs. It is really not an article that I want to include in my remarks, but two very short paragraphs.

Mr. UNDERHILL. Mr. Speaker, I think it involves the principle, and I shall have to object.

The SPEAKER. Objection is heard.

Mr. RANKIN. Then I ask whether the gentleman will object to my extending my remarks on the subject?

Mr. UNDERHILL. Not at all.

Mr. RANKIN. Mr. Speaker, I make that request.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, I am sorry the gentleman from Massachusetts [Mr. UNDERHILL] objects to my inserting these two short paragraphs from the American Legion magazine in the *RECORD*.

They are published under the head of "The Unfinished Battle." What is meant by the "unfinished battle"? It is the battle of the disabled veterans who are still struggling for health and existence.

Many thousands of these men are receiving no assistance from the Federal Government, and as a result their maladies are increased by their lack of means to care for themselves and to relieve the distress of their loved ones.

The two paragraphs which I desired to insert are with reference to what is known as the Rankin bill, H. R. 7825. I know that it has been rumored through the House that the American Legion is opposed to the Rankin bill, but this article from their own publication answers that rumor. It makes the frank statement that the Rankin bill would accomplish more far-reaching results than the Johnson bill because of the fact that instead of leaving the presumptive period at January 1, 1925, as an arbitrary date for presumptive service connection it brings it up to January 1, 1930, and automatically makes eligible for compensation those of our disabled ex-service men who are suffering from tuberculosis, mental disorders, and other chronic constitutional diseases who are drawing no compensation because of the fact that they have been unable to prove to the satisfaction of the Veterans' Bureau that their disabilities are service connected.

It also tells us that the passage of the Rankin bill would cure the great majority of difficulties now facing disabled veterans, as it would bring compensation to a large proportion of the uncompensated ones and immediately clear up thousands of claims which are either pending or have been denied because of inability to establish service connection under the comptroller's interpretation of the existing law.

In this "unfinished battle" these unfortunate men find themselves unable to successfully wage their own fight. It therefore remains for their friends in Congress to wage it for them. I have been trying for days to find out just when the so-called Johnson bill will be brought up on the floor for consideration. For some reason the administration forces have been unable or unwilling to give me that information.

I am told one day—by rumor, of course—that it will be taken up on the next Calendar Wednesday. Then I learn through the grapevine radio that it will be taken up on next Tuesday or next Thursday. Thus the mirage of relief for these men, like the mirage of the desert, moves onward as we progress, keeping about the same indefinite distance ahead, while these men are suffering and dying for the want of relief.

I hope that the powers that be in this House will not delay this legislation longer. Take the Johnson bill up under the regular rules of the House that will permit amendments, so that we may offer the provisions of the Rankin bill to extend the presumptive period to January 1, 1930. Then, if those who oppose this extension are strong enough to prevent its adoption, we will at least know how each individual Member of the House stands and will have a chance to carry our fight to the Senate, and ultimately to the American people.

LEAVE OF ABSENCE

Mr. CLARKE of New York. Mr. Speaker, I ask unanimous consent to be absent for three days on the important business of planting potatoes and opening officially the trout season in the State of New York.

The SPEAKER. The gentleman from New York asks unanimous consent that he may be given leave of absence for three days. Is there objection?

There was no objection.

THE TARIFF

Mr. SNELL. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 197, to send the tariff bill to conference. Pending the calling up of the resolution I ask the gentleman from North Carolina [Mr. POU] whether we can agree on time for debate on the resolution.

Mr. POU. Mr. Speaker, the requests for time on this side have been such that I do not see how we can get along with less than an hour and a half on a side.

Mr. SNELL. Does not the gentleman think he could get along with one hour on a side? Perhaps I could give him 10 or 15 minutes of my time.

Mr. POU. We have several requests for time. This is one of the most important matters that could be discussed any day in any Congress. We feel that we should have at least an hour and a half. I do not see how we can get along with less.

Mr. SNELL. Would the gentleman agree to a unanimous-consent suggestion to consider the previous question ordered at the end of the three hours?

Mr. POU. I would like very much to assent to any suggestion coming from my genial friend from New York, but to that particular suggestion I could not agree, because the previous question is the meat in the coconut.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. GARNER. The gentleman expects surely to have only two roll calls. This is the only business for the day, is it not?

Mr. SNELL. I expect that it will take most of the day.

Mr. GARNER. If we have three hours' debate, an hour and a half on a side, that would take us up to about 3.15 o'clock. With two roll calls, we would be through by 4.30 at the very latest, it would seem to me. I think that three hours is not an unreasonable time to devote to debate.

Mr. SNELL. Of course, we have been pretty generous with debate on this bill and have given you all of the time you want, and we are going to do the same to-day.

Mr. Speaker, I ask unanimous consent that debate upon the resolution be limited to three hours, one-half to be controlled by the gentleman from North Carolina [Mr. POU] and one-half by myself.

The SPEAKER. The gentleman from New York asks unanimous consent that debate may be limited to three hours, one half to be controlled by himself and the other half by the gentleman from North Carolina [Mr. POU]. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 197

Resolved, That immediately upon the adoption of this resolution the bill H. R. 2667 with Senate amendments thereto be, and the same hereby is, taken from the Speaker's table to the end that all Senate

amendments be, and the same are, disagreed to and a conference is requested with the Senate upon the disagreeing votes of the two Houses.

Mr. SNELL. Mr. Speaker, about 10 months ago the House passed a revised protective tariff measure and sent it to the Senate. That measure was returned to the House last week, with 1,253 amendments.

The rule just presented has for its purpose disagreeing to the Senate amendments and asking for a conference on the disagreeing votes of the two Houses. Every piece of important legislation that has been considered in the House since I have been a Member has followed this line of procedure. We are doing to-day what is the normal, logical thing in approaching an agreement between this House and the other body. This is exactly the same procedure that was used in the consideration of the Fordney-McCumber tariff bill. It is exactly the same procedure that the Democratic majority used in the consideration of the Underwood tariff bill.

It is exactly the same procedure that was used in the enactment of the Dingley tariff bill, and, in fact, it is exactly the same procedure that has been followed in the consideration of every tariff measure that has been before this House for the last 50 years.

That is not the only reason why I have advocated this procedure here to-day. It is not only in accordance with the precedent which has always been followed by the House, but it is the normal, logical procedure to take at this time.

What will be the situation if we follow this procedure? The men who will have these various items before them for consideration, the conferees on the part of the House and of the Senate, will have before them at that time all of the information that is available on each of these individual subjects. They will have the various reports of the Tariff Commission, the debates in the House and the debates in the Senate, and the hearings before the separate committees in the consideration of this bill, or, in fact, everything that is necessary for careful, intelligent consideration, and if this is what you want, and you claim it is, this is the only way to do it.

Furthermore, we are confronted to-day with a practical proposition. This is not a hypothetical question. The practical question before us is, What are we going to do to advance and facilitate the passage of the tariff bill? It has been before the country for over a year, and what the people of the country are most interested in to-day is not the procedure in the House or in the Senate but what the final provisions are in the bill. [Applause.]

Now, the responsibility for this measure is on the Republican Party, and we accept it [applause], and we are proposing to do to-day just what every Member of this body knows is the proper and right thing to do. We are proposing to do what every man in his own heart hopes we will do.

I know what the argument will be in opposition. It is the same argument that has been made every time a tariff bill has been sent to conference. But I want to say at this time that we are proceeding in the regular, logical manner in the passage of this bill. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. BANKHEAD. Mr. Speaker, I yield 20 minutes to the gentleman from Georgia [Mr. CRISP].

The SPEAKER. The gentleman from Georgia is recognized for 20 minutes.

Mr. CRISP. Mr. Speaker and Members of the House of Representatives, I agree with the statement of the gentleman from New York [Mr. SNELL] that what the industrial country is anxious for is a determination, and a speedy determination, as to what the tariff rates will be. And yet for one week, notwithstanding the impatience of the business world, the so-called efficient Republican leadership of the House has let the bill remain on the Speaker's table. During that week the steering committee was engaged in conferences endeavoring to proselyte the erring Republican brothers and bring them back into the fold. During this week the bill was on the Speaker's table, when the rules say it should have been referred to the Committee on Ways and Means for the committee's consideration of the Senate amendments to the bill.

But the leaders have accomplished their purpose. The steam roller is ready to roll. Our masters have spoken, and when the roll is called the majority Members will vote "aye." [Applause.] The previous question will be ordered, the bill will be sent to conference, and the membership of this House will be given no opportunity to express itself on the 1,253 Senate amendments.

I note the applause of my Republican friends, but I remind them that they laugh best who laugh last. [Applause.] Their

conduct recalls to my mind a line from an ancient comic opera—

When I was in Parliament I never thought of thinking for myself at all; I always voted with my party leaders, at their beck and call.

[Applause.]

That is what you are going to do to-day. When the House passed this bill it was given no opportunity to consider it. It was framed by 15 Republican Members, with not a Representative of the entire South on that committee, and no one was permitted to offer an amendment to that bill when it was up except the same 15 Republican Members who framed it, and they only offered such amendments as were necessary for them to agree to offer in order to bind and bring in your erring brothers, so that they would support a rule to pass the bill in the first instance.

History is simply repeating itself. I know it is the pastime nowadays to refer in this House facetiously to the Senate on account of its deliberation. I rejoice that we have a Senate, and the Senate in its conduct of this tariff bill has rendered a distinct public service. [Applause.]

Ex-President Coolidge is not a radical. He is a conservative, and his opinion is entitled to weight with the majority Members of this body. In his autobiography, published in one of the magazines, either the American or the Cosmopolitan of last November, President Coolidge says:

I have great admiration for the rules of the Senate. The Senate is the only deliberative body in the country. The Senate is the bulwark of the liberties of the American people. In the hands of the Senate the country is safe.

Think of the contrast between the way this bill has been considered in the Senate and the way it has been considered in the House. That causes me to say "Amen" to the encomium placed on the Senate by President Coolidge. The House has abdicated its legislative prerogatives, and it is no wonder it has lost prestige in the country and is called the lower House of Congress, when, under the United States Constitution, it is coordinate with the Senate.

The other day my very able and distinguished friend, the gentleman from Iowa [Mr. RAMSEYER], made a very illuminating speech on the floor of this House. He gave the legislative history of gag rule, and vehemently condemned it. I thought in my heart, as I listened to the gentleman, behold a statesman, a patriot, a man who places his country above party, for I thought surely after that speech the gentleman would lend his voice and his vote toward assisting in restoring to this body its right to legislate, to have a vote and a voice on matters that vitally affected their constituents. But what a different picture is presented to-day! The gentleman has surrendered, horse, foot, and dragoons, to party expediency. According to rumor, 50 or 55 pseudo progressive Republicans from the West, members of the farm bloc, had entered into a compact that they were not going to vote for any gag rule; that they were going to have the right to liberalize the rules of the House and vote on this tariff bill. They have surrendered.

My friend quoted scripture. I am going to emulate him. Esau sold his birthright for a mess of pottage. My distinguished friend and other members of the farm bloc have surrendered their right to legislate for their people, for what?

For a poor promise of the bosses that they will be given at some future time an opportunity to vote, for home consumption, for alibi purposes, on the question of whether the rate on sugar shall be 2 cents or 2.40 cents, and whether the tariff on cement shall be 6 cents or 8 cents. They are promised a vote as to whether shingles should be on the free list or taxed, and the same as to lumber.

Now, my friends, if the House will vote down the previous question to-day it will expedite the passage of this tariff bill. It will not delay it, as my friend from New York [Mr. SNELL] said; and I agree fully with him that what the country wants is speedy action; but it will expedite its final passage, and it will result in the country's obtaining a better tariff bill. Why? If the House votes to-day, it will take the lesser of two evils. It will vote for 2 cents on sugar, 6 cents on cement, and it will vote to place shingles on the free list—a saving to the American consumers of millions of dollars annually. When you do that you will relieve from consideration by the conferees three of the most important items, three items which will be used more than any others in this bill for trading and bargaining in conference, and you know it.

If the House should register its views on any important amendment, the Senate conferees would more likely recede on it in conference than they would if the House has never expressed its opinion on it. The House conferees would have the ad-

vantage in conference. If you vote down the previous question to-day, practically all of the amendments to the agricultural schedule will be adopted, and hundreds of other Senate amendments, technical changes in language, and so forth, will be adopted, and the conferees relieved of the necessity of taking time to consider them. You will get a better bill and you will expedite the final passage of the bill.

I am amazed that my so-called progressive friends are indifferent to the consideration of other very vital amendments in this bill. The flexible clause is one that is constitutional in character, which preserves to the House of Representatives its right, under the Constitution, to originate revenue legislation.

Again, the debenture. Now, we all know that a tariff on agricultural products where we have an exportable surplus is a joke. It is inoperative and ineffective. Senator BORAH, the most effective campaign speaker for the Republican Party in the last campaign, said in the Senate that a protective tariff, unless applied to all, was class legislation and indefensible, and that the only way for the farmers to receive the benefit of a protective tariff is through the debenture plan. My friends of the agricultural bloc do not seem to be interested in making effective the tariff rates on farm products. Are they expecting a majority of the House and Senate conferees, known to all of us to be opposed to the debenture, to object to the debenture in conference and reach an agreement eliminating it from the bill? Are they expecting the Senate conferees to yield and have the debenture eliminated from the bill so the House can not vote on it? Is that the scheme? If they want the debenture they will join with the minority and let the House consider this bill. I believe the House would adopt the debenture. [Applause.] If you vote to-day and agree to it, it will be preserved and the Senate can not eliminate it. It would remove it from conference and it would go a long step toward expediting the passage of the bill.

Another amendment, the Norris antimonopoly amendment, provides that if any American concern is exacting extortionate prices from American consumers and it should be found by the Customs Court to be a monopoly, then their products should be transferred to the free list.

My friends seem to feel no interest in that provision. Is it that they want the Sherman antitrust law to remain sleeping and dead?

There is another amendment that my section is interested in. Our farmers are taxed 2 cents on white arsenate. The farmers' condition is deplorable. They use calcium arsenate to fight the boll weevil. It is now on the free list, but under this bill 2 cents a pound is placed on it. Are my farm-bloc friends indifferent to the fate of their brothers in the South and Southwest and do they not desire to aid them?

If there is one great monopoly it is the American Aluminum Trust. The Senate has reduced the tariff on their products. My friends do not seem to have a desire to vote to make those lower duties effective.

There are many other most important amendments in this bill, but, forsooth, these friends have surrendered for the privilege of voting on four amendments, according to rumor. I have no authority for that statement except rumor. I had expected our friend from New York [Mr. SNELL] to enlighten us on it. If I am wrong I will take back all I have said, but, according to rumor, they are going to have only these four votes.

Mr. GARNER. Will the gentleman yield?

Mr. CRISP. Yes.

Mr. GARNER. I will say that the majority leader, Mr. TILSON, gave out that statement from his office, a typewritten statement.

Mr. CRISP. I thank the gentleman, and I know that is the common rumor.

Let me say right here that I anticipate what some of my Republican friends are going to say. They are going to say the Democrats acted similarly in passing the Underwood Tariff Act. I will admit it, and I will also admit that two wrongs do not make a right. It is no way for the American Congress to legislate. I want to say that there were 92 hours of consideration given to the Underwood bill and hundreds of amendments were offered.

Gentlemen and ladies of the House, the views of the Democrats have changed on the tariff question since the Underwood bill. I am not and never have been a free trader. I believe in a tariff for protection sufficient to equalize the difference in cost of production at home and abroad, and I believe a great number of my party associates have the same view. I believe that in writing a tariff bill, with changed economic conditions, the minority should be permitted to affiliate and work with the majority in preparation of it, and that on the floor of the House they should have that same privilege. I, for one, when

we get the House in the next Congress, if we have a tariff bill, am willing to vote to carry out that policy. [Applause.]

Now, when the Democrats were in charge they brought before you for consideration tax bills taxing the American people billions of dollars. There was no conference among the Democrats. The Republicans and Democrats sat together before the table, and one had just as much voice and vote as the other in the preparation of those tax bills. I believe that is the correct way to legislate, and I, for one, if the Democrats have control of the House, will not make a speech advocating that policy and then vote against making it effective.

Now, how can this be done? How can the House be given a liberal consideration of the bill? If the previous question is voted down—and if 50 Republicans vote with the minority it will be voted down—it is my purpose, with the approval of the minority leader, the gentleman from Texas [Mr. GARNER] to offer this amendment:

To strike out all of the resolution after the word "Resolved," and insert in lieu thereof, "The House shall proceed immediately to the consideration of the Senate amendments to H. R. 2667. The House shall immediately resolve itself into the Committee of the Whole House on the state of the Union for the consideration of said amendments under the general rules of the House. This order shall be a continuing order until said amendments are finally disposed of."

Now, gentlemen, I know I am wasting my breath. [Laughter and applause.] I know what the result is going to be. The orders have gone forth. The membership of this House has surrendered to a small number of its leaders, and when the roll is called the previous question is going to be ordered on the rule, the rule adopted, the bill placed in conference, and the membership of this House given no opportunity to vote on the amendments, and when in conference five Members of this House and five Senators are going to write a tariff bill, and the rest of us are going to be zeros.

I do not approve of that legislative procedure, and I could not refrain from voicing my protest against it. The American consuming public has my profoundest sympathy. [Applause.]

Mr. Speaker, I yield back the remainder of my time.

Mr. BANKHEAD. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. O'CONNOR], a member of the Rules Committee. [Applause.]

Mr. O'CONNOR of New York. Mr. Speaker, ladies and gentlemen of the House, for the past few weeks we have been sitting here listening to the protest by the minority members of the Ways and Means Committee as to the treatment they received in the preparation and enactment of this bill, and we minority members of the Rules Committee had hoped that protest might be effective when the matter came before our committee. But, as we should have guessed and should have known, the minority on the Rules Committee would receive the identical treatment administered to the minority of the Ways and Means Committee, and that is just what we did receive.

For eight days there have been conferences in this House, in the corridors, in the rooms in this Capitol, and in the House Office Building as to what would be done next with this legislation.

I do not know, Mr. Speaker, why they have committees in this House. At least I do not know why they have any minority representation on committees in this House. They might as well dispense with them, in view of the proceedings connected with consideration of the tariff bill and this rule.

The Rules Committee has been in session for eight days considering this proposition, but, mind you, without the minority members knowing anything about the place or time of the meetings or what was going on in them. We were never even invited to the meetings.

Why, at 2 o'clock in the morning, in any part of these United States, in any day during these eight days, any person could take any newspaper served by the Associated Press, the United Press, or any other press association and find out just what was being done and what was going to be done in the proceedings before the committee and in the House.

At 2 o'clock yesterday morning this country knew identically what would be done in the Rules Committee yesterday when it met at 11 o'clock, while the minority members knew absolutely nothing about it. It may well be that the minority party should have no representation on committees in this House. If that is the intentional policy of the majority, why not be courageous enough to so rule? Even yesterday when the rule was sent to the Speaker's table, several Republican Members shouted, "Let us have the rule read." Even the members of the majority party did not know up to that hour what was going on in reference to this legislation.

The distinguished chairman of the Rules Committee, the gentleman from New York, boasts that this tariff bill is a

Republican measure and that the Republican Party proudly accepts the responsibility for its enactment. That boast is not an exact statement of the facts. This measure, in all truth and fairness, was never passed and never will be finally passed by the Republican Party in this House. You members of the Republican Party, outside of two score men, have had no more chance to vote on it or to have anything to do with it than any Democrat on this side of the House. Your steering committee, your 15 members of the Ways and Means Committee and your 8 members of the Rules Committee, in all about 30 men, have secretly determined every rate that should go into the bill and every method of procedure in reference to the passage of the bill.

Now, this may be the only new way to ride it through—with the old steam roller. When you are in power the drunkenness of the moment may urge you to take such action. But, gentlemen, inevitably there is a day of reckoning. Furthermore, let me say that when you shout that this tariff bill is a Republican measure you use the word "Republican" not to indicate all the Members on your side, you use the word "Republican" to include not over one-half of the people who vote in your elections. This bill is in no wise, or not in one respect, the enactment of the progressive, modern-thinking Republican of this country. The so-called progressive Republican was never intended to sit in any of these conferences. He never had a chance to vote on the bill. Still, in some mysterious way he has been persuaded to forego his prerogative to vote in the United States Congress to which he was elected after promising his constituents he would vote on every measure. He has abandoned to a mere score of men the enactment of the most important legislation that is at any time brought before the people.

Tariff legislation, more than any other bill we pass here, affect our people most. Usually a decade is allowed to pass between their enactment, so hazardous is the undertaking to any party and so serious is the effect on business, industry, and the purchasing public. The bill is then intended to become indefinitely permanent, as it were until some extraordinary changes occur in our national situation. Submit that there was no national need for this legislation. It is well known that an error of judgment was made in calling Congress into session to enact a tariff bill, but instead of letting well enough, or bad enough alone, we are now confronted with an additional burden of over \$1,000,000,000 placed on the consumer.

Of course, I know that anything I may say or anything that anybody on this Democratic side may say—yes; anything that 100 men on that Republican side may say—will not have the slightest effect upon the method of procedure or on the ultimate result here to-day, or upon the vote on this rule. The skids are greased, the stage is set. You have the votes and propose to use them ruthlessly.

Let me say, however, gentlemen, that the newspapers of this country to-day, and for the past 10 years, have bred in our people a disrespect for legislative bodies, generally, and for the Congress of the United States in particular. Contrary to the purposes of our institutions, contrary to our form and theory of government, the Chief Executive has become the popular idol of the people. The people look to the Chief Executive as symbolizing their Government. All the affairs of Government are seemingly wrapped around the Chief Executive, and the people look to him as their last resort and their last recourse and their last bulwark against unfair legislation or unjust conduct of the affairs of government.

Now, this is a serious development of recent years in the minds and thought of our people. We never intended that our Government should be so set up, but it is just such conduct on the part of the legislative body as the outrageous, undemocratic, unrepresentative procedure in reference to this tariff bill that makes such criticism to some extent justified.

Furthermore, the newspapers of this country have gradually built up in their columns a phrase that amounts almost to a slogan, that is unfortunately more or less true, a slogan that the people, the vast millions of consumers, have no representation in Congress, and the people of the country must and do look to the White House as representing them and as their defense and their court of appeal against unjust burdens put upon them to benefit special interests.

There has also grown up through the press, somewhat justified, I will admit, the general belief that every Member of the House, or nearly every Member, and every Member of the Senate, or nearly every Member, represents in these bodies some particular business interest, some particular group, some particular industry, for which they want special favors in the enactment of a tariff bill. Our people believe this, and there is, gentlemen, some justification for that belief.

There has also grown up in this country, and justifiably so, the thought in the minds of the people that the Representatives

in Congress and the Senators in the other body represent solely their own States, that they are Representatives and Senators of the State of New York or of the State of Pennsylvania, for instance. Of course, this conception is fundamentally wrong, but it is justifiable criticism in reference to the pending tariff bill. It is almost too fundamental, too elementary for me to say that every Representative and every Senator is from his State and not of his State, that he represents every State in the Union and every possession of the United States, and should not be concerned solely with the affairs of his own State or solely try to get a tariff on the products of his own State just because the votes lie in that State, to the detriment of the people of the other State. Oh, I know this fundamental truth is a tough one to swallow and a hard one to carry out when the voters back home, the boys and girls who hold the fates of Members of Congress in their ballots, speak up for tariff rates!

Now, gentlemen, whether there has been precedent of 50 years' standing for this particular procedure or not, it is nevertheless fundamentally wrong, and admitted to be wrong by everybody who has discussed it, irrespective of party. The mere fact there is precedent behind it is no justification for its continuance in the face of progress.

This bill will ultimately be written, as I have said, not by the Republican Party of to-day, but by those good old stand-pat, reactionary, superconservative Republicans from those great "progressive" States like Ohio, Illinois, and Pennsylvania.

But in spite of its constant reiteration in the press, there are men in this House, ladies and gentlemen, who do represent the millions of consumers in this country.

The SPEAKER pro tempore (Mr. THURSTON). The time of the gentleman from New York has expired.

Mr. POULSEN. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. O'CONNOR of New York. There are many of us who do represent the consumers, who have no interest directly or indirectly in any one item in this bill, and who would vote against the increasing of any item in the bill; and in that connection I am proud to say that the biggest group of Members who do really represent the consumer, who would do everything possible to prevent any increases in the bill, if they but had the opportunity, come from the State of New York and the great city of New York. The Democratic Members from New York City and State do represent the consumer. We stand here as their Representatives and against any special interest, even if it is located in New York. We have great industries, we have great interests in our State looking for high protective rates and usually getting them, but we still choose to do our duty and stand between those selfish interests and the people of our State and the people of the country. Nor is our interest confined to the people of our own State. We repudiate that theory of representation. We are just as much concerned with the farmers of the entire country as any of you gentlemen from the great farming States of the West. We will give you support on any sane proposition to really relieve the farmer when it does not merely shift the burden to the consumer. If there is no other part of the country to which the consumer can look for support or defense, he can be assured that the Representatives from the city of New York will fight to the last ditch in his behalf. [Applause.]

Mr. SNELL. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. HOCH].

Mr. HOCH. Mr. Speaker and Members of the House, this is the fourth tariff bill that has been before the House during the years I have been a Member. The first tariff bill was an emergency tariff bill in the interest of agriculture alone. And I have not forgotten that that first bill received a veto from President Wilson and that only a handful of Members on the Democratic side voted to override the presidential veto.

When we came into power we found a Democratic tariff bill on the books under which practically all farm products were upon the free list.

The second tariff bill that I had anything to do with, and that only in a small way, was an emergency tariff bill soon after President Harding came into power, a bill in which the items were only in reference to agriculture. Then we passed the Fordney-McCumber bill.

Now, my good friend from Georgia [Mr. CRISP] has referred to the able speech by the gentleman from Iowa [Mr. RAMSEYER], in which he reviewed tariff legislation. In that speech Mr. RAMSEYER showed that the method of framing tariff bills, under which the minority members were excluded in committee, was originated by the Democratic Party, and continued during all the years the Democratic Party considered tariff measures.

I am frank to say that I do not like that method of handling tariff bills. I realize the difficulties, however; but I would always lend what little influence I might have to some further

liberalization of the methods of handling tariff bills. And yet I can not get much excited about the indignation of my good Democratic friends against the procedure when they have always indulged in that procedure when they were in power.

I was glad to note that my friend from Georgia, Mr. CRISP, said that he believed in the protective principle—he said he favored a tariff based on the difference in the cost of production at home and abroad. I am glad to know that upon another great issue our Democratic friends have now come forward and formally recorded their conversion to a good old Republican doctrine. [Applause.]

Now, then, the gentleman from Georgia referred to a rumor that there had been an agreement for a vote later on on four schedules, and he referred, as I thought, with some facetiousness to a conference that had been held.

My friends, I gladly confess to have taken part in these conferences and I am glad to belong to a party which is able by conferences on great subjects like this, with men representing different sections of the country, with diverse interests, to come to some sort of an agreement under which we may legislate and do business for the country. [Applause.]

The gentleman from Georgia referred to it as a rumor. I am sure he welcomes the statement made by the Democratic floor leader in reference to a formal statement given to the press by Mr. TILSON, the Republican floor leader, after the conclusion of these conferences, in which he stated definitely that an agreement had been made to come back to the House before final action is taken for a vote by the House upon these four important and highly controversial items.

Mr. BANKHEAD. Will the gentleman yield?

Mr. HOCH. I yield.

Mr. BANKHEAD. In view of the fact that many representatives of the agricultural section, from which the gentleman comes, are firmly convinced that the tariff on agricultural products is not effective and can only be made so by the debenture plan, does not the gentleman think that a vote should be had upon that provision?

Mr. HOCH. I recollect in the vote on the debenture plan—I have not the figures here, but if the gentleman will refer to the roll call he will find that some of the most earnest speeches against the debenture plan were made from his side of the House.

Mr. BANKHEAD. The gentleman has not answered my inquiry—I asked for his candid expression of opinion.

Mr. HOCH. I am glad to answer it.

Mr. RAMSEYER. Will the gentleman yield?

Mr. HOCH. Yes; I yield.

Mr. RAMSEYER. This is not the time to discuss the merits or demerits of the debenture, but in view of the situation, that the Senate conferees can not recede on the debenture until they receive instructions from the Senate, and further that the Senate will not recede until the House has taken action on the debenture, there is no question in my mind at all and I do not think there is any question in the mind of any leader of the House on either side, that before the conference report is agreed to, the debenture item will be in the House for consideration and a vote.

Mr. HOCH. I agree with the gentleman, and I believe that the flexible tariff provision will also be back here for a separate vote.

Mr. RAMSEYER. The same situation exists in respect to the flexible tariff provision.

Mr. HOCH. With reference to the flexible tariff, I was somewhat surprised at the statement of the gentleman from Georgia [Mr. CRISP] when he referred to the surrender of constitutional power.

Certainly the gentleman does not forget that the Supreme Court, which at least has the last guess on these questions, has decided by unanimous opinion that it is not a surrender of constitutional power to put this power in the hands of the President within the limits provided, and so it is a little bit late to be contending that the flexible tariff provision as such is an abrogation of the constitutional power of the Congress.

Mr. BECK. Mr. Speaker, will the gentleman yield?

Mr. HOCH. In just a moment. I can not yield for a moment. I was referring to the "rumor" referred to by the gentleman from Georgia. I am sure it will not be urged seriously by any Member of this House that we can not rely on a solemn agreement—a gentleman's agreement, if you please—made to bring back these items for a vote in the House. I know the gentleman from Georgia agrees with that. Should I ever reach the point where I had so little regard for the honor of the membership of this House that I would not accept a solemn statement or agreement made either by the Republican leaders or the Democratic leaders as to what they will do, then I would not care to be a Member of this body. [Applause.] Of course,

these four propositions are going to be brought back to the House for a vote on each one separately. There is this binding agreement that there will be brought back to this House for consideration in the House by vote all the items in disagreement involved in the cement, lumber, shingles, and sugar schedules. That was a compromise agreement, it is true. Personally, I should like to have a vote taken on some other items in this measure, but getting entirely away from politics, if we may, certainly no man in the House with any experience here at all but knows that if you open up a tariff bill for unlimited debate and unlimited amendment upon all of the items in the bill, with 435 Members participating, instead of having expeditious action upon the measure, we would be here all summer and probably all fall and the next summer before we would ever get a vote on the tariff bill.

It is a difficult, practical matter, and we should all face it squarely to know how to handle a tariff bill. There are two extremes. There is the extreme which the minority often desires, for political purposes, to make it impossible to secure legislation, and then there is the other extreme which prevents an expression of opinion on any item, and out of these differences of opinion we have reached an agreement for a separate vote on at least four items of great importance, highly controversial. I should prefer a number of other votes, and there are many Senate amendments which I hope the House conferees will accept, and that on some they will come back for a separate vote.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. HOCH. Mr. Speaker, I ask the gentleman from New York to yield me one minute in order that I may yield to the gentleman from Pennsylvania [Mr. BECK].

Mr. SNELL. I yield one minute more.

Mr. HOCH. I now yield to the gentleman from Pennsylvania [Mr. BECK].

Mr. BECK. The question I had in mind was whether or not I understood the gentleman to say that the flexible tariff provision as passed by the House in the pending bill or the flexible tariff provision as passed by the Senate had ever been passed on by the Supreme Court?

Mr. HOCH. Of course, the gentleman's question answers itself. There has been, of course, no occasion for the Supreme Court to pass upon proposals not yet in the law. However, the principle of giving to an administrative body the power within a rule set out by Congress of determining the difference in the cost of production at home and abroad and giving to the Executive the administrative power to apply that rule set out by the Congress, which is the heart of the controversy, has been upheld by the Supreme Court of the United States. [Applause on the Republican side.]

Mr. SNELL. Mr. Speaker, I yield 10 minutes to the gentleman from Oklahoma [Mr. O'CONNOR].

Mr. O'CONNOR of Oklahoma. Mr. Speaker, I suppose that being from such a district as I represent, if all that is being said here were true and I were a good politician I would keep still, but you are talking here about the politics of tariff making and I have a few ideas on that, and I am going to release them.

I quite agree with the gentleman from Iowa [Mr. RAMSEYER], as a matter of theory, that the tariff is an economic question and should be handled as such; but we have a political Government, and the tariff, like all other legislation, is handled as a political matter.

I do not at this time desire to discuss the economic issues involved in this or other tariff legislation, except to say that this, like every tariff bill, will be criticized by the Democratic Party as being a "robbers' tariff" and being highly discriminatory, when the truth is that because of the inherent nature of the tariff, any bill is discriminatory in this way and to this extent; the benefit of the tariff is received by a few, and is large. The burden is borne by the many, and because it is so widespread the burden is light. The criticism of this bill is full of fallacy. It is a beautiful theory to have everything that you produce protected by tariff, and everything you consume on the free list.

I come—as most of you do—by my views on the tariff, I suppose, through birth, a pretty good way of acquiring it. Most of us are this, that, or the other thing and we are proud of our opinions, but we simply are often Democrats, Republicans, conservatives or liberals because our fathers were that.

I think that when my father came to America he was an Irish free trader, but my mother wanted us children to have enough to eat and enough to wear, so she soon converted him to the doctrine of protection. [Applause.] I grew up on the idea of the protective tariff as a national policy. In those days we had political parties, and one of them was the party that believed in the protective tariff as a national policy, while the other party believed in a free-trade policy.

You will all recall how Al Smith tried to hold the Democratic donkey while Raskob shot it a high-tariff hypodermic via telegraph, but the mule, instead of being speeded up, simply "went loco" when that vaccine got in his free-trade veins.

I say to you this afternoon that whatever defects this bill may have—and it will have many—those defects will be due more largely to this than anything else: That in one of the bodies they do not have political parties any more, and some of these gentlemen are trying to set up the same situation here.

As the chairman of the Rules Committee said, my idea is this: This is a Republican bill and we are going to take the responsibility for it.

In the old days, when we had party government, the party in dealing with the tariff matter would get together and attempt to weave a fabric that would cover the whole Nation, its different industries, its different regions, and its different sections. But we have gotten away from the weaving business in the other body. There it has gotten to be a quilting party, where everybody sews on a patch to suit himself. The difficulty with this bill is the fact that it is not entirely a party measure. I believe in party government. We do not have anything to take its place. I believe in organization and system and you must have some system in order to get somewhere. [Applause.]

For the past several months we have been treated to a public exhibition of running the dictionary through a vacuum cleaner. The words came out with the wind, but there were no ideas sticking to them.

The great oil industry in my district is not included in this bill. If the oil men who appeared before the Senate had come to the House in time, I believe that the Republican Party, which believes in protection for all industries, would have given oil protection in this tariff bill. But what happened over there? The Senators from my State worked hard and voted to amend the Senate bill to include a tariff on oil. Were they successful? No. How could they expect to be? They had voted right along to reduce or abolish the tariff on other industrial schedules and insisted on a tariff only for agriculture. Then when it came to ask for a tariff on oil they did not get it. They could not bring any of the so-called coalition along with them. They did get some small support from the Democrats. The surprising thing is that the oil tariff got the support it did from the administration Republicans in the Senate when it was sponsored by men who had voted all along against the amendments which the Republican Senate wanted to write in the bill. And now the word has gone down to my district that the reason that we did not get an oil tariff was because the administration Republicans were opposed to it. That is not true. If even a small number of the men who were elected as Republicans to the Senate and then, wearing our uniform, enlisted with the forces of the opposition, had voted for the tariff on oil, it would be in the bill.

It was the sharp practice exhibited by one of the most vocal and vehement coalition Senators in making a slanderous attack on the so-called "oil lobby," and reporting the proceedings of the lobby committee before the hearings had even been finished, that did more than anything else to defeat a most meritorious case. These men were not lobbyists! They were men in every angle of the oil business who were here to press their own case on their own behalf, as they had a perfect right to do.

Our Senators—the Democratic Senator and the other Senator elected on the Republican ticket—voted as coalitionists—whatever that may mean—against every industrial schedule, voting only for agriculture. Then when they came to ask for a tariff on oil, they did not get it. They could not bring any of the coalition along with them, and the surprising thing is that they got the number of administration Republicans they did. And now they have gone home and they have said, "The Republican administration denied us a tariff on oil." That is not true. It is the lack of a Republican Party over in the other body that has prevented that. [Applause.]

Now, my criticism is this: Since we have gotten away from the party system we have gotten into this situation: Every industry is looking upon itself as a separate industry, and not on industry as a whole.

I believe that sound tariff legislation has been hindered rather than helped by the somewhat spotted and uncertain conversion and change of attitude on the part of some of the minority members. They are up to their old tricks—urge, support, and have adopted amendments to the bill protecting agriculture or industry in their district, and then, when the bill contains the amendment, vote against it and talk against it.

I have a big farming district, and I see my good friend TIMBERLAKE sitting here, who comes from the great State of Colorado, where I lived 20 years. A lot of you who are good farmers want a chance to vote against a tariff on sugar. A tariff on sugar is unpopular down in my country. Why? The

people consume sugar down there and the soft-drink manufacturers use sugar, and if I vote in favor of an increased tariff on sugar it will cost me a lot of votes, but I lived 20 years in Colorado, and I want to tell you that there is not an agricultural schedule in your bill that is more vital to the farmers who are engaged in the raising of sugar beets than the tariff on sugar. [Applause.] You farmers want to get a tariff on the crops you produce and stop right there. You can not handle a tariff bill in that way, and if we had a real party system we would not have to handle it in that way.

A great compliment has been paid to a distinguished Senator from some State for his valuable work for the Republican Party before election. I think the tribute is incomplete. Why did you not state the rest of it? He has been the most valuable servant to the Democratic Party ever since election.

I believe in party government, and I believe in wearing the uniform of the party that elected you. If you do not believe in the platform and the program of the party, what are you running on that ticket for? [Laughter and applause.] Go over on the other side, where you belong.

We have an election coming on and we are going to have a hard election, but I do not believe in running away from a fight. I do not believe in running away from opposition. Let us face things squarely as they are. The Republican Party never passed a tariff bill that brought hard times to this country. We have passed some that put us out of office, and this bill may do that, but there are worse things than that.

I know what you gentlemen want to do, with all your solicitude. You want to take a lot of these agricultural boys out street walking with you free traders so you can bring them back as coalitionists. [Laughter and applause.] That is what you are trying to do.

This whole tariff question is an expert one. It is a matter that does not lend itself to ordinary methods of legislation. We all go up or down together—industry, agriculture, and all of us.

What I do not like and the crowd I can not go along with is the crowd that is continually filling these agricultural Representatives up with the idea that the way to make agriculture prosperous is to destroy industry.

The gentleman from Mississippi [Mr. COLLIER] talks about our running our hands down in the pockets of the people and about our being tied. There are no marks on my wrists. I am not tied. I am not even tongue-tied. They say this tariff runs its hands way down in the people's pockets; but it does not do anybody any good to run your hands down into empty pockets. If the Republican Party taxes the people the people have the money in their pockets to pay the taxes, and if this last tariff bill was such a terrible thing and brought on a panic, it certainly took a long time for it to get going, because we had had that law for eight years. We had so much prosperity that speculation ran wild and the crash from speeding was inevitable.

I say, what the Republican Party needs to-day is a little more common, every-day courage and faith in its principles. Do not be afraid of being Republican.

Do not be afraid of party responsibility or of saying, "Yes; this is our child. We brought it forth, we have named it, we stand for it." You do not want us to duplicate what they did in the other body—go around for months arguing about whether it is going to be a boy or a girl. [Laughter.]

I will tell you what the people want. The American people are just in the same position, if I judge them correctly, as the young couple when the first born arrives and the doctor comes out of the hospital and says to the father, "It's a girl." What they wanted was a boy but the young parents decided to keep it anyway. What they really wanted was a baby, and what the people of this country want is a tariff bill. [Laughter.]

There is not any bill that we could write that would suit you Democrats. There is not any bill that any Congress could write that would not have defects in it or objections to it. There is not any perfect bill. It is a matter of getting through the best bill that we can get, and I have not very much in it for my district; but my farmers need to be told the truth, and I am going to tell them some truths. There has never been a tariff bill that gave to the producer of agriculture anything like the high rates contained in this bill. But will that bring prosperity to the farmer? What will bring prosperity to the farmer is people who will buy the products of the farm at a high price. Idle men and poorly paid men are not good consumers at fancy prices. If we do not keep industry prosperous, and labor employed at good wages, who is going to buy all this high-priced food that the farmer is raising?

I think some of the spokesmen for the farmers have been very shortsighted and very selfish. The idea of a tariff on bananas so somebody will have to eat apples. If the prosperity

of agriculture depends on taking a banana away from a baby, we are in a bad way in America.

Mr. SIROVICH. "Yes; we have no bananas to-day."

Mr. O'CONNOR of Oklahoma. As the Doctor says, "Yes; we have no bananas to-day." [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. POUL. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. LOZIER.]

Mr. LOZIER. Mr. Speaker and Members of the House, the pending bill is full of vicious provisions. Every schedule is surfeited with rates that are unreasonably high, grossly excessive and unconscionable. The bill as a whole will not be helpful to agriculture. Where it puts a dime in one pocket of the farmer it will take a dollar out of the other pocket in the increased cost of everything the farmer buys. It does not fulfill the platform pledges of either the Democratic or Republican Party. It is a miserable makeshift so far as benefiting agriculture is concerned.

It is essentially a measure written by and in the interests of the manufacturing classes. It will enormously increase their wealth and add to the cost of practically everything the farmers or the masses buy. It does not equalize agriculture with industry. It widens the spread between what the farmer gets for his products and what he pays for his supplies. It is the last word in governmental favoritism, special privilege, and class legislation. It increases the economic handicap under which the American farmer labors.

There is nothing to be gained by concealing the nation-wide distress under which American agriculture is staggering. It is folly to give out propaganda that farmers are becoming prosperous, or that there has been a substantial improvement in agricultural conditions. Practically all farm products are selling far below prices that prevailed a year ago. This is not the fault of the Federal Farm Board, but it is the fault of the law the board is administering. I have said all along, and I still say, the members of the Federal Farm Board are able, honest, and sincere men who are doing all that can be done with the tools the Hoover administration has placed in their hands. Probably no other set of men could do better than the present members of the Farm Board in administering the present law, which is inherently weak and incapable of affording substantial relief to the agricultural classes. "Getting down to brass tacks," the Hoover farm-relief program is no more than a plan to encourage and finance cooperative marketing. It does not go to the root of the evil, or make any adequate provision for control of our surplus commodities, which control is necessary in order to make the tariff on farm products effective, without which no permanent relief is possible. It follows, therefore, that the failure of the Hoover farm-relief program must not be charged to the members of the Farm Board, but to the Hoover administration that forced this makeshift legislation on American agriculture. From the day the Federal farm marketing act passed, the market price of nearly all, if not all, farm commodities has been declining. I want the American farmer to get every benefit that can possibly accrue from the operation of the Federal Farm Board, and I have voted to supply the board with all the funds they asked for, but it must be apparent to everyone who knows anything about the farm problem that the Federal farm marketing act can not go very far toward pulling agriculture out of the ditch into which it has been kicked by the greedy tariff barons and industrial classes. However, I have insisted on giving the Hoover scheme a fair trial, and I favor financing it until it is demonstrated that the plan will not work, although its most optimistic advocates must soon realize that it is doomed to end in failure. When the Hoover scheme has been weighed in the balance and found wanting, we will then have an opportunity to enact legislation which meets with the approval of the great farm organizations, and which will give the farmer economic equality with the manufacturer and other vocational groups, which equality is denied him under the Federal farm marketing act and the Hawley-Smoot tariff bill.

It is a significant and tragic fact that after 60 years of high tariffs the farmers of the Nation have been bled white and brought to the verge of bankruptcy, while the commercial and industrial classes have managed to monopolize the major part of our national wealth and enjoy unprecedented and almost uninterrupted prosperity. Hear these statistics:

One per cent of our people own 59 per cent of our national wealth.

Thirteen per cent of our people own 90 per cent of our national wealth.

Eighty-seven per cent of our people own only 10 per cent of our national wealth.

Is this a healthy condition of affairs? Most certainly not. Does this indicate real, genuine, or nation-wide prosperity? It does not. This deplorable situation is the result of class legislation that has enriched the few at the expense of the many; that has taken from the farmer the rewards of his toil and handed them over to the manufacturer. And tariff laws like the one we are now considering have done more than anything else to bring American agriculture to the brink of ruin.

The Hawley-Smoot tariff bill will extract hundreds of millions of dollars from the pockets of the American farmer, because it will add materially to the cost of what he buys and will not substantially or proportionately increase the price the farmer gets for his products. The pending tariff bill carries the highest rates that have ever been imposed since the beginning of our Government. When agriculture is facing disaster it is no time to increase the farmer's tax burden, which is already unbearable.

It is scarcely conceivable that the industrial classes would put over a bill like this one, which was conceived in sin and brought forth in iniquity. I repeat, this bill carries hundreds of vicious and indefensible schedules, but the most dangerous, damnable, and far-reaching provision in the measure is the so-called flexible clause, which in effect confers on the President the hitherto unheard of, undreamed of power to raise and lower tariff rates, and in effect exercise practically unlimited taxing or tariff-making powers. It is a tremendous extension of the flexible principle embodied in the Fordney-McCumber Act.

The outrageous rates established by the pending bill may perchance be modified by some subsequent Congress, but if the flexible provision carried in the House bill becomes a law, it marks the end of the effective control of the people over taxation, and vests that prerogative to an almost unlimited degree in the President—a policy out of harmony with our scheme of government, and violative of the spirit if not the letter of our Constitution. But my main argument is not against the power of Congress to pass on to the President the fixing of tariff rates, but against the soundness and wisdom of such action, though I concede that the Supreme Court has held, that within certain limits, Congress may delegate the fixing of tariff rates. The adoption of this provision will mark another step in the rapid march of the American people away from our fundamental ideals and concepts of government, and toward a purely bureaucratic system.

And there is no instance in history where the crown or executive department, after usurping the rights and prerogatives of the people, or of the legislative branch of the government, has ever surrendered that embezzled power, except as the result of a bloody revolution. History tells us that Lorenzo the Magnificent, who made Florence the mistress of the Mediterranean, levied unjust taxes, oppressed the people, confiscated their wealth, and deprived his subjects of their liberty. When the shadow of death fell athwart his path, he would have no one minister to him except Savonarola.

This stern old monk told Lorenzo that he could only hope for salvation by doing three things: First, he must throw himself solely on God's mercy, and hope for nothing from his own merits. This he promised. Second, he must restore all the great wealth to the people from whom it had been wrongfully taken, as far as that could be done. To this he also assented. And, lastly, he must set Florence free and restore to the people the liberties he had suppressed and the sovereignty he had usurped; and to this condition he gave no answer, but turned his face to the wall, and with his back to the priest, he died unrepentant. This incident illustrates how tenaciously princes and lords cling to power which they have wrongfully taken from the people.

And in our own beloved land there are many instances where the executive department has usurped or taken over prerogatives which, under the letter and spirit of our sacred Constitution, were vested in the Congress. In the administration of our affairs we are rapidly departing from a representative form of government and becoming a bureaucratic government, under a President who now exercises more authority than any European monarch, and who at the expense of Congress has taken over legislative prerogatives not sanctioned by the letter or spirit of our Constitution.

When the bandit, Odoacer, became King of Rome, the Senate sent back to Constantinople the tiara and purple, mute but eloquent and convincing evidence that the western Roman Empire had passed away. The members of the Roman Senate were too proud, consistent, and sincere to hold the fragile, flickering, and elusive shadow of power after they were shorn of the last vestige and substance of authority.

If the flexible provision written by the House in the pending bill becomes a law, it will mark the surrender by Congress of its most important constitutional prerogative, and a transfer

of the taxing power from Congress, where the Constitution placed it, to the President, who, under the Constitution, is given no express or implied authority to exercise that power; and when this legislation becomes effective it will be appropriate and fitting for Congress to withdraw from our archives the Federal Constitution, drape it in black, and send it to the White House, thereby giving public and formal recognition of the lamentable and tragic fact that Congress has basely deprived the people of their control over taxation, abrogated its constitutional functions, and transferred to the President its most important constitutional prerogative. [Applause.]

Sirs, measuring my words, I assert no more vicious policy has ever been injected into our national life. It marks a radical departure from the fundamental principles which underlie, permeate, and vitalize our free institutions. It is a shameful confession that so far as the exercise of the taxing power is concerned our scheme of government is a failure. It is an admission that Congress is so impotent and spineless that it can not perform the functions vested in it by the Constitution, and that the American people are unable to register their will on matters of taxation through their chosen representatives in Congress. When we make this confession it is tantamount to admitting that self-government is a failure. [Applause.]

Every battle for human freedom has been fought around the standard of taxation. The liberties and accomplishments of the English-speaking race are the outgrowth of a struggle extending through centuries against the exercise of the taxing powers by the crown or executive departments of government. If the free governments that now flourish throughout the world stand for anything, it is for the untrammelled, inherent, and inalienable right of the people, through their assemblies, congresses, or parliaments, to exercise the taxing power, and determine the subjects, objects, and rates of taxation. To maintain inviolate this principle and birthright, and transmit it unimpaired to their posterity, a countless host of valiant men have defied kings and feudal lords and fertilized the tree of liberty with their rich red blood. Mr. Jefferson declared that it was a necessary incident of a free government that the people who pay the taxes should lay the taxes, otherwise the taxlayer will plunder the taxpayer. That this power should be vested in the President or crown is repugnant to the genius and spirit of our institutions.

Our Republic is built around and upon the Congress of the United States. It is not essentially a Government by the executive departments or by the judiciary, but it is preeminently a Government by Congress, subject only to a comparatively few limitations which, under certain well-defined conditions, may be imposed on congressional action by the executive or judicial departments. According to the letter and spirit of our Constitution Congress alone has power to initiate and enact legislation, whether relating to taxation or any other subject. This power is supreme and exclusive, subject only to presidential veto, and also subject to the unquestioned authority of the judiciary to vitiate legislation when it is clearly violative of some provision of the Federal Constitution.

Our constitutional fathers in framing our organic law never dreamed that Congress would abrogate its constitutional function of determining the subjects, objects, and rates of taxation, and when changes in rates should be made. Such a thing as the flexible provision of our tariff laws was never contemplated by the men to whose wisdom, foresight, and patriotic endeavor we owe our Constitution and benevolent form of government. The Constitution provides that the President may recommend legislation, but it nowhere suggests, either expressly or impliedly, the transfer to the President of the congressional prerogative to lay taxes.

If Congress should pass an act providing that hereafter Congress should exercise some of the powers and prerogatives vested in the President by the Constitution, such legislation would be no more vicious and violative of the letter and spirit of the Constitution than an act of Congress that vests in the President powers and prerogatives, which, under the Constitution, are vested in Congress.

Congress is the legislative branch of our Government. The President is at the head of the executive branch. It is the province of Congress to enact laws and the province of the President to administer and enforce them. If the President should attempt to place on Congress the responsibility for administering our laws, such a policy would be no more out of harmony with the letter and spirit of our Constitution than the action of Congress in placing upon the President legislative powers. It is just as un-American for Congress to delegate legislative functions to the President as it would be for the President to force on Congress administrative functions.

In building our Constitution our forefathers made it plain that the taxing power was not vested in the President, or

Supreme Court, but in the people, to be exercised by and through their chosen representatives in Congress. They were familiar with history and knew how the taxing powers had been abused when exercised by the crown or executive heads of governments, and in no uncertain way they vested in Congress the enactment of laws in relation to taxation.

It is cowardly for Congress to evade this constitutional duty and pass the responsibility to the President. In order that the people might not be shorn of the right and power to control taxation, the Constitution expressly provided that all bills for raising revenues must originate in the House of Representatives, the membership of which comes fresh from the people every two years. In this way the people can have a check on tax legislation, and could repudiate a Congress that imposes unnecessary or unjust taxation, but under the flexible provision of the House bill, the President's power to lay tariff taxes on the people is practically unhampered during his term of office, and only by controlling Congress by an overwhelming majority as the result of a political revolution or landslide can the people annul or repeal a tax imposed on them by the President under the flexible provisions of the pending act.

The American people are bending under an almost unbearable burden of taxation, and if they could only realize the fatal consequences that will inevitably flow from the so-called flexible provision of the tariff, as a fixed policy of our Government, they would rise in revolt and hurl from power the big business buccaneers, economic highbinders, and high-tariff racketeers, who with the aid of the Republican Party are fastening this iniquitous policy on our body politic.

When Charles I attempted to levy an unjust tax called ship money, which was not sanctioned by Parliament, John Hampden refused to pay the assessment laid against him. It amounted to only 20 shillings, \$5, but in a trial, lasting 12 days, he stubbornly contested this wrongful exercise of the taxing power by the tyrannical Stuarts. This rugged old country gentleman cared nothing for the 20 shillings, but he did care for the principle involved, and the English people, rather than pay this unjust levy, lighted the fires of revolution, which forever destroyed the power of the English Crown to levy taxes, and securely anchored that prerogative in the people, speaking through their chosen representatives in Parliament. The English people would go through another bloody revolution before they would vest in the Crown the power to lay taxes, and the American people should never under any circumstances waive, in whole or in part, the constitutional provision that vests the taxing power in the Congress, but should unfalteringly cling to the prerogative that reserves to the people, acting through their representatives in Congress, the sole right and power to determine the subjects, objects, and rates of taxation.

It is fundamental that the right or power to impose taxes should always be left with the people, to be exercised by their chosen representatives in congress, parliament, or other representative assembly. It is equally fundamental that the executive department, whether presided over by President, King, or feudal lords, should not exercise the power to determine when and what taxes should be laid, or the subjects or objects, or the rate of taxation.

By the adoption of this flexible tariff provision, Congress is surrendering its lawful prerogatives, betraying the Constitution, and abandoning the most vital principle in our scheme of government. [Applause.] We can not afford to ignore the checks and balances imposed by the Constitution on each of the three separate and distinct departments of our Government.

As it is the constitutional function of Congress to initiate and enact laws relating to revenue and taxation, we can not directly or indirectly, without violating our oaths, transfer that prerogative to the executive department. Such action will be far-reaching and ultimately destructive of our fundamental concepts of orderly government under our free institutions. To say that Congress can not, in the exercise of its constitutional functions, efficiently enact tariff legislation is to confess the impotency—yes, the failure—of our republican form of government.

By transferring the prerogative to the executive department we are abandoning the age-long fight of the English-speaking race to control the taxing power by vesting it in the people, functioning through their representatives in the legislative branch of government. The transfer to the President of the power to determine tariff rates is a confession that representative government has broken down in America, so far as taxation and tariff laws are concerned, and that we are rapidly heading toward a bureaucratic form of government. I am not yet ready to admit that our representative form of government has been weighed in the balance and found wanting, or that there is any constitutional function it can not efficiently perform. I sincerely trust the taxing power may remain in Congress, where the Constitution placed it. [Applause.]

Mr. SNELL. Mr. Speaker, I yield 10 minutes to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Speaker and gentlemen of the House, instead of a dispassionate discussion of an economic problem which really vitally affects the business conditions of this country, this has developed into a partisan political debate, evidently looking forward to a political discussion in the next election. I have no desire to discuss the politics of the situation. The American people will attend to that, and they will know what it is all about, but I rise rather to discuss the parliamentary situation and the reason for the attitude of many of us in supporting this rule.

This whole tariff discussion has ended about as we thought it would a year ago, because the machinery of making tariff bills has always been the same and probably always will be the same. The different parts of the country can not agree with each other and they never will agree with each other, because each section of the country is interested in different products. The section which I happen to represent is interested in agriculture, and it is for their benefit primarily that I support the rule, because it gives a vote on the schedules in which they are interested. As you read the rule we find that it follows the customary procedure in the House, to disagree to all of the Senate amendments. It does not mean exactly what it says, and all of you know it, but it is the only way that you can get the bill to conference. It is exactly the same as rules in the legislatures in South Dakota, Florida, New York, Washington, or any other State.

In order that there may be a discussion there must be a formal expression of procedure. There are many of the Senate amendments about which there will be no discussion. Everyone knows that the House conferees are going to accept the agricultural increases given in the Senate, and there can be no question about it. Whatever may be said to-day, there will be no doubt about that. The extra session of Congress was called primarily for the benefit of agriculture, and it is inevitable that those increases would be granted. I can not see how anyone can fail to know that there will be a vote on the flexible provisions of the tariff bill which are in disagreement between the two parties. We all know that there will be a vote on the debenture at some stage of the proceedings. Those two votes need no discussion, because we will secure them in any event. However, when the bill came before the House I was one of those who believed that we should have some separate votes at that time on lumber, shingles, cement, sugar, and some other items. Those votes were not given, and we insisted, some of us, that we have those votes at some time before this bill becomes law or before it leaves this body. Personally I think it makes no difference when you vote upon any of these schedules, so long as you secure the vote. Whether we secured the vote a year ago or whether we get it three weeks from now makes no difference, and I, for one, was entirely satisfied that we secure the vote after the conferees are appointed and before we finally dispose of the bill. There is an agreement, and it will be lived up to, that there will be separate votes on lumber, shingles, cement, and sugar, the controversial items in the bill. It is a fair agreement. This is no gag rule.

It is allowing an expression of opinion, and that is about all that we want in a legislative body. It is none of my business how some of you gentlemen from the South vote, or how some of you gentlemen from New England vote; and incidentally it is none of your business how I vote as long as we have an opportunity of expression. We will then have received all that a Representative in this body is entitled to. I have never worried so much whether this bill is enacted or not. If we were working under the conditions under which this country was operating in 1919-20, under the Underwood bill, I would welcome nearly any sort of a bill, no matter how high the protection was; but we are operating under the Fordney-McCumber law, which is a legitimate, fair tariff law. It ought to be changed in some particulars, because conditions, national and world-wide, have changed since 1922. If some bill were enacted containing the flexible provisions of the tariff law and the power given to the President, who wants every part of this country to succeed, we would secure such changes, in my judgment, as would not make any industry suffer to any great extent, with this exception: There are some items on the free list on which there is no duty or tariff, and there is, of course, no flexibility. The President, as to those, can not operate. As long as we preserve the flexible provision I am not worried, and in the long run I feel confident that agriculture and industry will not be injured by this bill.

Somewhere along that line you must trust the President. I am perfectly satisfied with the honesty of purpose and integrity of the present President. I have seen attacks made upon him and upon every other President in my time; on Mr. Roosevelt, on Mr. Taft, on Mr. Wilson, on Mr. Harding, and on Mr.

Coolidge, and as long as I live I expect to see the minority attack the President.

Personally I never intend to indulge in that sort of practice, and I am happy to say that I am satisfied that when this tariff bill is enacted and the flexible provisions are preserved, the President of the United States will do his best to see that the inconsistencies in a law that passes these great legislative bodies are ironed out, and will see that our industry and our business is treated fairly. [Applause.]

Under this rule I think under the circumstances no Republican will do injustice to himself or to the people he represents if he votes for the previous question and accepts the rule. [Applause.]

Mr. Speaker, I yield back the balance of my time.

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. BANKHEAD].

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 10 minutes.

Mr. BANKHEAD. Mr. Speaker and Members of the House, the gentleman from Washington [Mr. JOHNSON] interrupted one of the speakers a few moments ago and made the statement that in the consideration of the Underwood bill under the rule at that time no opportunity was given to any Member of the minority to offer any amendment. I undertook to correct the gentleman from Washington by saying that rather liberal opportunity was given for that purpose. The gentleman challenged me on that statement and asked me to point to a single amendment offered by a Republican. I find on page 1079 of the CONGRESSIONAL RECORD, first session of the Sixty-third Congress, the distinguished statesman from the State of Washington did offer one amendment, as follows: To put gun wads on the free list. [Laughter.]

That was the extent of the contribution that the distinguished gentleman from Washington made to the protective tariff on that occasion. His amendment was very promptly rejected.

Mr. CRISP. Was that the gentleman from Washington [Mr. JOHNSON]?

Mr. BANKHEAD. Yes; Mr. JOHNSON of Washington. He is the gentleman to whom I specifically refer.

Now, gentlemen, let us for a moment look at the proposition with which the House of Representatives on this occasion is confronted. The situation goes back beyond the present session of Congress. It had its genesis really in the calling of the special session of Congress by the President soon after his inauguration. He called that special session of Congress for the special purpose, as announced in his message to the House, of undertaking to give his party an opportunity to relieve the deplorable and distressing conditions affecting agriculture in this country, and the main point in his recommendation was in regard to the enactment of the farm relief bill, and incidentally the President suggested that under some peculiar circumstances wherein a very good case was made out, wherein tariff schedules needed some limited revision, he suggested that they be revised.

Now, has that recommendation of the leader of your party been followed by his responsible representatives in the House of Representatives? Instead of carrying out his recommendations to have a limited revision of the tariff, you are all familiar with the fact that the whole bill, making practical increased tariff duties on all the necessities of life, has been revised. Almost every item has been tampered with.

That bill was put through here without an opportunity to amend it. It went to the Senate, and after a full discussion of the various schedules the Senate passed a very different bill from that which the House passed, and sent it over here to the House. And we have now, gentlemen, an opportunity—you gentlemen from the South and those from the large agricultural communities of the Northwest—have an opportunity on the 2d day of April to register your views on this question.

Yet what do we do? We have heard from the newspapers that many conferences have taken place and that protests have been filed by the agricultural representatives of the Northwest, but that on pressure they have yielded to the party whip and succumbed to the blandishments of the authorities over them, and have agreed to this weak compromise. I say "weak" from the standpoint of protecting the people interested in these great industrial and agricultural schedules.

I asked a Member whether we would have an opportunity to vote on the debenture plan. Of you Representatives to whom I am speaking now on the Republican side who have confessed that the agricultural items in the tariff are ineffective, and who have expressed the opinion that the remedy is in the debenture plan—I ask, have you any assurance of getting a vote on the debenture proposition? A distinguished leader on that side [Mr. RAMSEYER] makes an academic argument to the effect that by the very nature of the position of the Senate you will get

a vote on this question; but I say that the way to insure a vote on it, if you are in earnest on that proposition of getting a vote on it, is to vote down the previous question on this rule to-day and guarantee an opportunity to vote on debenture and on the amendment with reference to flexibility.

I ask the distinguished gentleman from New York [Mr. SNELL], I ask the distinguished chairman of the Committee on Ways and Means [Mr. HAWLEY], in their presence now, if, after this conference has been given, the gentlemen will guarantee to the Members on your side and on our side that there will be a record vote in this House on the debenture plan and on the flexible feature, and I pause for your reply.

Let us make this a matter of record and of understanding.

Mr. HAWLEY. With the gentleman's permission, I will reply that until we have had a conference with the Senate on the matters, other than those to which reference has already been made, I suppose the conferees will proceed under the usual rules governing conferences.

Mr. BANKHEAD. Exactly; and, if the Senate recedes, you never will get an opportunity to vote on it in the House. So that disposes of the quasi assurance of the distinguished gentleman from Iowa [Mr. RAMSEYER] that we will secure a vote on this proposition.

The purpose of the leaders in accomplishing this compromise is well stated in an editorial in the New York World this morning, and it so fitly describes the strategy and purposes of the leaders on the Republican side that I wish to read it and adopt these views as mine, and adopt the logic of the statement as the logic of the conclusion which I have reached with reference to your purpose.

COPPER-RIVETING THE TARIFF BILL

The effort of the Democrats and insurgent Republicans in the House to obtain a vote on the sugar, lumber, shingles, and cement duties in the new tariff bill before the measure was sent to conference has failed. The Committee on Rules has decided that the bill, as railroaded through the House last spring by the Republican leaders without amendments and with practically no debate, shall go to conference intact. The House at some later date, and at the pleasure of the Longworth-Snell-Tilson machine, will vote on these controversial items before the conference committee has finally decided which rates are to prevail.

This decision practically insures the retention of the highest duties on the commodities in question. The conference committee will take up all the other items of the bill, and leave these controversial items to the last. Had a vote been taken on these before the bill went to conference, it is probable that many good Republicans who face primary contests for their seats in coming weeks would have sought to temper the wrath of their consumer constituents by voting for a reduction of the duties on sugar and cement and for retaining lumber and shingles on the free list. These votes will now be postponed until after the primaries, and the danger that the House might reverse itself on important rates is thereby reduced.

Meantime, the postponement gives the standpatters a chance to do some effective logrolling and thus clinch the victory which temporarily was endangered by the threat of a coalition in the House very similar to that in the Senate. Washington correspondents state that this logrolling has already begun. It is a safe wager that by the time the House is finally permitted to take its promised vote enough trades will have been effected to fix the outcome as the sugar, cement and lumber people want it. Those who would like to see the bill de-Grundized have nothing on which to build their hopes.

That is the logic of the situation with which we are confronted to-day. We have heard some peculiar speeches on this question, from the standpoint of a gentleman's personal responsibility to his constituency. My friend from South Dakota, Mr. Johnson, has taken the position that he knew all the time, and he assured his people back home all the time—that statement has been made by others—that this would be a highly controversial proposition, with great differences of opinion as to policies and schedules, and that the gentleman knew in the last analysis it would have to be ironed out in conference.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. I yield the gentleman one minute more, Mr. Speaker.

Mr. BANKHEAD. Gentlemen, that is not my conception—and I say it with all due respect to him and to the others who have expressed similar views—of the individual responsibility of a Representative to his people, but that instead of leaving it to a few men composing the committee on conference, when an opportunity is presented he should vote to carry out his responsibility to the people whom he is undertaking to represent upon the floor of this House.

Mr. POU. Mr. Speaker, how much time have we remaining on this side?

The SPEAKER pro tempore. The gentleman has 14 minutes remaining.

Mr. POUL. I yield myself 10 minutes.

Mr. Speaker, the rule under consideration would send to conference a bill which, in my judgment, violates every principle of justice. Therefore I shall oppose the rule which sends the bill to conference, and if the conferees ever agree upon a report, I hardly imagine it will be possible to reach a conclusion to accept that report.

The reasons for the special session called by President Hoover were never more succinctly expressed than by my colleague who has just taken his seat, Mr. BANKHEAD, of Alabama. We were called together to help American agriculture and a few isolated industries which were expected to make out cases, which, from the Republican standpoint, justified advance in existing duties. The result is that a bill has been passed by the House, the like of which has never been seen under Almighty God's shining sun. The bill comes back from the Senate with a few schedules tempered downward. Neither bill represents the work of the intrusted servants of the people. If undisputed newspaper charges are true both bills are largely the work of lobbyists who are paid to get what they can out of legislation enacted by Congress. It is even charged that certain protected interests have been able to get their lobbyists into the secret councils of the committees of Congress and that these lobbyists got advance information which many Members of the House and Senate could not get. The bill which was passed by the House is the embodiment of injustice, the apotheosis of selfish greed.

The Senate bill is but little better. I say here and now, there has been no widespread demand for either the Senate bill or the House bill. The American public is not clamoring for any sort of tariff bill, and the press of the Nation is overwhelmingly against the bill you would send to conference. Whenever Congress acts upon a great question like this such action should be in response to a widespread demand for action. Show me, if you please, where there has been any demand for tariff legislation. Show me one petition which represents organized sentiment asking this Congress to deal with the tariff question. There has been no demand for such action, either from agriculture or from industry, and yet the tariff bill which you will pass is your answer to the plea of bankrupt agriculture for help.

Never in my lifetime has agriculture been in such a condition as it is to-day. The great staple commodities are being sold upon the market at a price less than the cost of production. I know this is true with respect to cotton, and I am told it is true with respect to other great staple commodities. The answer of this Republican Congress to the plea of agriculture for help is taxes, increased taxes, and still further increase in taxes, because the bill you would send to conference is higher taxation in disguise.

In the past, Mr. Speaker, Congress has passed bills which, it is said, provided a protective tariff. The House bill sets up a prohibitive tariff, certainly, to a large degree. Gentlemen who in the past have been clamoring for a tariff sufficient to cover the difference in cost here and abroad are now demanding a prohibitive tariff. If they fail to get what they desire through the agency of paid lobbyists, they hope to get what the lobbyists fail to get in the various logrolling trades which have recently been made.

Think of the American people left absolutely to the mercy of representatives of the protected interests sitting around a council table making trades in legislation which would increase the cost of living in every home in America—

If you will help me get an increase in the duty on my commodity, I will help you get an increase in the duty on your commodity. I have so many votes, you have so many votes; let us unite the votes we control.

That is the formula of the legislative traders and logrollers.

It has been stated in the public press, and not denied, so far as I have seen, that the bill which comes to us from the Senate during the last few weeks has been greatly changed by trades which have been made in the manner just mentioned. The American people must of course foot the bill. The great consuming American public will be heard from in November next. You will get your answer as you got your answer in 1910 when the Payne-Aldrich bill had been passed.

I was a member of the Committee on Ways and Means when the Payne-Aldrich bill was reported. The lobbyists got in their work then just as they are getting in their work now. I heard the great speech Jonathan P. Dolliver made in the Senate in June, 1910, protesting against the work the trusts were getting in at that time. He said:

The veteran experts that are given carte blanche to fix up our laws do not appeal to me as they used to. Behind nearly every veteran ex-

pert that we have had fluttering around here in recent years is the veteran manager of the enterprise that is to be fixed.

Proceeding, Senator Dolliver said:

Instead of being an expert, he is an employee, and he has come down now for nearly a generation dominating the proceedings of Congress, telling everybody what ought to be done, relieving even the great committees of their duty of investigation, writing these laws, and presenting to the American public a scandalous performance such as I have exposed on this floor here this afternoon.

And now 20 years after Senator Dolliver made that great speech protesting against the working of the lobbyist and the legislative trader, we are having the same experience, only in magnified form. The lobbyist logroller's tariff bill would leave the American people to the mercy of the trusts and monopolies which are protected against competition. In the name of common decency, I protest against it. In the name of the American consumer, I say it is wrong. I say it violates every principle of justice and fairness. What we say here to-day will have no effect on the action of this Chamber. Not a vote will be changed when the roll call is announced, but the American people will have before them the facts. They will know that lobbyists have been secretly introduced into the committee rooms of Congress, and that these lobbyists have gotten in their work. They will know that unholy trades have been made which increase the cost of living in every home in America. With the facts established, Mr. Speaker, with confidence we will appeal to the sense of right and justice of the voters of this Nation. We do not believe our appeal will be in vain. Mad with power in 1910, you refused to listen to the voice of the people. You got your answer in November, 1910, which was a Democratic majority in this House. In 1912 we captured the Nation. With perfect confidence in the righteousness of our cause we shall again appeal to the American people. [Applause.]

Mr. SNELL. Mr. Speaker, I want to say to my good friend from North Carolina that he closed his speech to-day just exactly as he closed it eight years ago, and I hope his prediction is as nearly true now as it was then. He stated at that time that it was one of the most vicious bills that had ever been passed by any Congress, and he predicted what the result would be next November. The result was that we had a bigger Republican majority than we had ever had before. I trust his prediction at this time is as true as it was then.

I expected my Democratic friends would learn something in the last eight years and that they would present some new argument as to why we should not pass this rule to-day, but they have fallen into the same old argument of talking about gag rule.

I have learned during my experience in this House that when you have nothing else to say you always fall back on the gag rule, and usually it is the man who does not understand the rules that makes that speech. I am sorry to say, however, that the gentleman from Georgia [Mr. CRISP], who is probably one of the best parliamentarians in the whole House and thoroughly understands procedure, must be pretty hard up for an argument when he falls back on that rule, because he knows better. [Applause.] There are others who do not.

I was also very much interested in what the gentleman from Georgia said about the time it took to pass the Wilson bill. He said it took 92 hours to pass that bill, and I am very thankful that they did not spend any more time on it if it could have been a greater economic monstrosity than it was.

The gentleman also said they were very liberal in the consideration of that bill; that the minority was permitted to offer 100 amendments. The gentleman from Illinois [Mr. MANN], the minority leader, did offer over 100 amendments, but every one was promptly voted down by an absolute and united Democratic majority.

The gentleman from Mississippi talked about tying hands. Let me tell you something. If we have tied their hands in the consideration of this bill, when you had the power you tied not only the hands of the minority but you tied their feet and their tongues and put cotton batting in their ears. In addition to that, you voted them like automatons. Then you come here and tell us how generous you are in the consideration of a tariff bill.

My friend from Georgia also said he is going to offer an amendment, if he has an opportunity, about considering the amendments to this bill. He said he is going to do that if he has the approval of his leader, Mr. GARNER.

Unless Mr. GARNER, the gentleman from Texas, has changed his position from that of last week, the gentleman from Georgia can not get that approval, for if I remember correctly he said he wanted to vote on these schedules in groups.

Mr. CRISP. Will my friend yield?

Mr. SNELL. Certainly.

Mr. CRISP. I just want to say that I drafted that rule last night at the request of the gentleman from Texas [Mr. GARNER].

Mr. SNELL. I was talking about his public expressions on the floor. Of course, I was not in that meeting last night. But the gentleman from Texas said he was absolutely willing to vote on the 14 schedules en bloc. That would be an intelligent way of deciding the tariff issue, would it not? You would have to take the good and the bad in that way and it would be impossible to do anything else when everyone knows that some changes in rates should be made, and will be, by the conferees. That is the most foolish proposition that was ever presented by the minority in considering a tariff measure.

My friends on the Democratic side have told about their solicitude for agriculture. Gentlemen, I do not know what you would do to-day if you had the power, but I do know what you did do when you did have the power. You took everything that agriculture produces off of the protected list and put them on the free list. [Applause.] That is what you did for agriculture.

Mr. SWING. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. SWING. On the subject of agriculture this rule, if full force is given to each word of it, makes those who vote for it disagree to all Senate amendments. Those of us who come from agricultural districts and agricultural States feel that the Senate bill is more liberal to agriculture than the House bill. I am wondering if the gentleman, as one of our leaders, could give those of us who come from agricultural districts some assurance that when the bill comes back from conference it will be proven that the House is as friendly to agriculture as the Senate.

Mr. SNELL. The gentleman knows that in disagreeing to the Senate amendments we are simply following parliamentary usage, and that is always the course taken in sending a bill to conference. That is the procedure provided for in the rules to send a bill to conference. If you said you agreed, there would be no need of a conference. However, there is no doubt in my mind but what the Members of the House of Representatives are as friendly to agriculture as are the Members of the Senate. [Applause.] I do not think the gentleman need have a particle of doubt along that line, and agriculture will be fairly treated. I certainly expect so.

I want to say this in conclusion, my friends: The only thing we are asking you to do is to take the step that is necessary to help facilitate the passage of this bill, and you can do it by voting for the previous question and voting for the rule. [Applause.]

I move the previous question, Mr. Speaker.

The SPEAKER. The question is on ordering the previous question.

Mr. GARNER and Mr. POULSON demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 238, nays 153, answered "present" 1, not voting 36, as follows:

[Roll No. 20]

YEAS—238

Ackerman	Connolly	Gibson	Kendall, Ky.
Adkins	Cooke	Gifford	Kendall, Pa.
Aldrich	Cooper, Ohio	Golder	Ketcham
Allen	Coyle	Goodwin	Kieffer
Andresen	Craddock	Green	Kiess
Andrew	Crail	Guyer	Kinzer
Arentz	Cramton	Hadley	Knutson
Aswell	Crowther	Hale	Kopp
Bacharach	Culkin	Hall, Ill.	Korell
Bachmann	Darrow	Hall, Ind.	Kurtz
Bacon	Davenport	Hancock	LaGuardia
Baird	Dempsey	Hardy	Langley
Barbour	Denison	Hartley	Lankford, Va.
Beck	De Priest	Haugen	Leavitt
Beers	DeRouen	Hawley	Leech
Blackburn	Doutch	Hess	Lehlbach
Bohn	Dowell	Hickey	Letts
Bolton	Drane	Hoch	Luce
Bowman	Dunbar	Hoffman	McCormack, Mass.
Brand, Ohio	Dyer	Hogg	McFadden
Brigham	Eaton, Colo.	Holaday	McLaughlin
Britten	Eaton, N. J.	Hooper	McLeod
Brumm	Elliott	Hope	Maas
Buckbee	Ellis	Hopkins	Magrady
Burness	Englebright	Houston, Del.	Manlove
Butler	Estep	Hudson	Mapes
Cable	Esterly	Hull, Morton D.	Martin
Campbell, Pa.	Evans, Calif.	Hull, William E.	Menges
Carter, Calif.	Fenn	Irwin	Merritt
Carter, Wyo.	Finley	Jenkins	Michener
Chalmers	Fish	Johnson, Nebr.	Miller
Clague	Fitzgerald	Johnson, S. Dak.	Montet
Clancy	Fort	Johnson, Wash.	Moore, Ohio
Clark, Md.	Foss	Johnston, Mo.	Morgan
Clarke, N. Y.	Free	Jonas, N. C.	Mouser
Cochran, Pa.	Freeman	Kahn	Murphy
Cole	French	Kearns	Nelson, Me.
Colton	Garber, Okla.	Kelly	Newhall
Connery	Garber, Va.	Kemp	Niedringhaus

Nolan
O'Connell, R. I.
O'Connor, Okla.
Owen
Palmer
Parker
Perkins
Pittenger
Porter
Pratt, Harcourt J.
Pratt, Ruth
Pritchard
Purnell
Ramey, Frank M.
Ramseyer
Ransley
Reece
Reed, N. Y.
Reid, Ill.
Robinson
Rogers

Rowbottom
Sanders, N. Y.
Schafer, Wis.
Sears
Seger
Selberling
Shaffer, Va.
Short, Mo.
Shott, W. Va.
Simms
Sloan
Smith, Idaho
Smith, W. Va.
Snell
Snow
Sparks
Spearing
Sproul, Ill.
Sproul, Kans.
Stafford
Stalker

Stobbs
Stone
Strong, Kans.
Strong, Pa.
Sullivan, Pa.
Summers, Wash.
Swanson
Swick
Swing
Taber
Taylor, Tenn.
Temple
Thatcher
Thompson
Thurston
Tilson
Timberlake
Treadway
Turpin
Underhill
Vestal

Vincent, Mich.
Wainwright
Walker
Wason
Watres
Watson
Welch, Calif.
Welsh, Pa.
Whitley
Wigglesworth
Williamson
Wolfenden
Wolverton, N. J.
Wolverton, W. Va.
Wood
Woodruff
Wurzbach
Wyant
Zihlman

NAYS—153

Abernethy
Allgood
Almon
Arnold
Auf der Heide
Ayres
Bankhead
Bell
Black
Bland
Bloom
Box
Boylan
Brand, Ga.
Briggs
Browne
Browning
Brunner
Buchanan
Busby
Byrns
Campbell, Iowa
Canfield
Cannon
Carley
Cartwright
Celler
Christgau
Christopherson
Clark, N. C.
Cochran, Mo.
Collier
Collins
Cooper, Tenn.
Cooper, Wis.
Cornling
Cox
Crisp
Cross

Crosser
Cullen
Davis
Dickstein
Dominick
Doughton
Douglas, Ariz.
Douglass, Mass.
Doxey
Drewry
Driver
Edwards
Eslick
Evans, Mont.
Fisher
Fitzpatrick
Frear
Fuller
Fulmer
Gambrell
Garner
Garrett
Gasque
Gavagan
Glover
Goldsborough
Granfield
Greenwood
Gregory
Hall, Miss.
Halsey
Hare
Hastings
Hill, Ala.
Hill, Wash.
Howard
Huddleston
Hull, Tenn.
Hull, Wis.

Jeffers
Johnson, Tex.
Jones, Tex.
Kading
Kerr
Kincheloe
Kvale
Lambertson
Lampert
Lanham
Lankford, Ga.
Larsen
Lea, Calif.
Lindsay
Linthicum
Lozier
Ludlow
McClintic, Okla.
McDuffie
McKeown
McMillan
McReynolds
McSwain
Mansfield
Mead
Milligan
Mooney
Moore, Ky.
Moore, Va.
Morehead
Nelson, Mo.
Nelson, Wis.
O'Connell, N. Y.
O'Connor, N. Y.
Oldfield
Oliver, Ala.
Oliver, N. Y.
Palmsano
Parks

ANSWERED "PRESENT"—1

O'Connor, La.

NOT VOTING—36

Beedy
Burdick
Chase
Chindblom
Curry
Dallinger
Dickinson
Doyle
Graham

Griffin
Hall, N. Dak.
Hammer
Hudspeth
Igoe
James
Johnson, Ill.
Johnson, Ind.
Johnson, Okla.

Kunz
Lee, Tex.
McClintock, Ohio
McCormick, Ill.
Michaelson
Montague
Norton
Sabath
Shreve

Stedman
Stevenson
Sullivan, N. Y.
Taylor, Colo.
Tinkham
White
Wright
Yates
Yon

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Chindblom (for) with Mr. O'Connor of Louisiana (against).
Mr. Shreve (for) with Mr. Igoe (against).
Mr. Beedy (for) with Mr. Montague (against).
Mr. Michaelson (for) with Mr. Griffin (against).
Mr. White (for) with Mr. Hammer (against).
Mr. Chase (for) with Mr. Yon (against).
Mr. Johnson of Illinois (for) with Mr. Stedman (against).
Mr. Curry (for) with Mr. Stevenson (against).
Mr. Dickinson (for) with Mr. Kunz (against).
Mrs. McCormick of Illinois (for) with Mrs. Norton (against).
Mr. Graham (for) with Mr. Johnson of Oklahoma (against).
Mr. Burdick (for) with Mr. Sullivan of New York (against).
Mr. Dallinger (for) with Mr. Doyle (against).
Mr. Johnson of Indiana (for) with Mr. Wright (against).
Mr. Yates (for) with Mr. Lee of Texas (against).

Until further notice:

Mr. James with Mr. Taylor of Colorado.
Mr. Tinkham with Mr. Hudspeth.

Mr. O'CONNELL of New York. Mr. Speaker, may I announce the necessary absence of the gentlewoman from New Jersey, Mrs. NORTON. If she were here, she would vote "no."

The result of the vote was announced as above recorded.

Mr. SNELL. Mr. Speaker, on the final passage of the resolution I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 241, nays 153, answered "present" 1, not voting 33, as follows:

[Roll No. 21]

YEAS—241

Ackerman	Ellis	Kiess	Sears
Adkins	Englebright	Kinzer	Seger
Aldrich	Estep	Knutson	Selberling
Allen	Esterly	Kopp	Shaffer, Va.
Andresen	Evans, Calif.	Korell	Short, Mo.
Andrew	Fenn	Kurtz	Shott, W. Va.
Arentz	Finley	LaGuardia	Simms
Aswell	Fish	Langley	Sloan
Bacharach	Fitzgerald	Lankford, Va.	Smith, Idaho
Bachmann	Fort	Lea, Calif.	Smith, W. Va.
Bacon	Foss	Leavitt	Snell
Baird	Free	Leech	Snow
Barbour	Freeman	Lehibach	Sparks
Beck	French	Letts	Spearing
Beers	Garber, Okla.	Luce	Sproul, Ill.
Blackburn	Garber, Va.	McClintock, Ohio	Sproul, Kans.
Bohn	Gibson	McCormack, Mass.	Stafford
Bolton	Gilford	McFadden	Staiker
Bowman	Golder	McLaughlin	Stobbs
Brand, Ohio	Goodwin	McLeod	Stone
Brigham	Graham	Maas	Strong, Kans.
Britten	Granfield	Magrady	Strong, Pa.
Brumm	Green	Manlove	Sullivan, Pa.
Buckbee	Guyer	Mapes	Summers, Wash.
Burtness	Hadley	Martin	Swanson
Butler	Hale	Menges	Swick
Cable	Hall, Ill.	Merritt	Swing
Campbell, Pa.	Hall, Ind.	Michener	Taber
Carter, Calif.	Hancock	Miller	Taylor, Tenn.
Carter, Wyo.	Hardy	Montet	Temple
Chalmers	Hartley	Moore, Ohio	Thatcher
Chague	Haugen	Morgan	Thompson
Clancy	Hawley	Mouser	Thurston
Clark, Md.	Hess	Murphy	Tilson
Clarke, N. Y.	Hickey	Nelson, Me.	Timberlake
Cochran, Pa.	Hoch	Newhall	Treadway
Cole	Hoffman	Niedringhaus	Turpin
Colton	Hogg	Nolan	Underhill
Conner	Holaday	O'Connell, R. I.	Vestal
Connolly	Hooper	O'Connor, Okla.	Vincent, Mich.
Cooke	Hope	Owen	Wainwright
Cooper, Ohio	Hopkins	Palmer	Walker
Coyle	Houston, Del.	Parker	Wason
Crail	Hudson	Perkins	Watres
Cramton	Hull, Morton D.	Pittenger	Watson
Crowther	Hull, William E.	Porter	Welch, Calif.
Culkin	Irwin	Pratt, Harcourt J.	Whitely
Darrow	Jenkins	Pratt, Ruth	Wigglesworth
Davenport	Johnson, Nebr.	Pritchard	Williamson
Dempsey	Johnson, S. Dak.	Purnell	Wolfenden
Denison	Johnson, Wash.	Ramey, Frank M.	Wolverton, N. J.
De Priest	Johnston, Mo.	Ramseyer	Wolverton, W. Va.
DeRouen	Jonas, N. C.	Ransley	Wood
Doutrich	Kearns	Reed, N. Y.	Woodruff
Dowell	Kelly	Reid, Ill.	Wurzbach
Drane	Kemp	Robinson	Wyant
Dunbar	Kendall, Ky.	Rogers	Zihlman
Dyer	Kendall, Pa.	Rowbottom	
Eaton, Colo.	Ketcham	Sanders, N. Y.	
Eaton, N. J.	Klefner	Schafer, Wis.	
Elliott			

NAYS—153

Abernethy	Cross	Jeffers	Patman
Allgood	Crosser	Johnson, Okla.	Patterson
Almon	Cullen	Johnson, Tex.	Peavey
Arnold	Davis	Jones, Tex.	Pou
Auf der Heide	Dickstein	Kading	Prall
Ayres	Dominick	Kerr	Quayle
Bankhead	Doughton	Kincheloe	Quin
Bell	Douglas, Ariz.	Kvale	Ragon
Black	Douglas, Mass.	Lambertson	Rainey, Henry T.
Bland	Doxey	Lampert	Ramspeck
Bloom	Drewry	Lanham	Rankin
Box	Driver	Lankford, Ga.	Rayburn
Boylan	Edwards	Larsen	Romjue
Brand, Ga.	Eslick	Lindsay	Rutherford
Briggs	Evans, Mont.	Lithicum	Sanders, Tex.
Browne	Fisher	Lozier	Sandlin
Browning	Fitzpatrick	Ludlow	Schneider
Brunner	Frear	McClintic, Okla.	Selvig
Buchanan	Fuller	McDuffie	Simmons
Busby	Fulmer	McKeown	Sinclair
Byrns	Gambrill	McMillan	Sirovich
Campbell, Iowa	Garner	McReynolds	Somers, N. Y.
Canfield	Garrett	McSwain	Speaks
Cannon	Gasque	Mansfield	Stegall
Carley	Gavagan	Mead	Summers, Tex.
Cartwright	Glover	Milligan	Tarver
Celler	Goldsborough	Mooney	Tucker
Christgau	Greenwood	Moore, Ky.	Underwood
Christopherson	Gregory	Moore, Va.	Vinson, Ga.
Clark, N. C.	Hall, Miss.	Morehead	Warren
Cochran, Mo.	Halsey	Nelson, Mo.	Whitehead
Collier	Hare	Nelson, Wis.	Whittington
Collins	Hastings	O'Connell, N. Y.	Williams
Cooper, Tenn.	Hill, Ala.	O'Connor, N. Y.	Wilson
Cooper, Wis.	Hill, Wash.	Oldfield	Wingo
Corning	Howard	Oliver, Ala.	Woodrum
Cox	Huddleston	Oliver, N. Y.	
Craddock	Hull, Tenn.	Palmisano	
Crisp	Hull, Wis.	Parks	

ANSWERED "PRESENT"—1

O'Connor, La.

NOT VOTING—33

Beedy	Curry	Griffin	Igoe
Burdick	Dallinger	Hall, N. Dak.	James
Chase	Dickinson	Hammer	Johnson, Ill.
Chindblom	Doyle	Hudspeth	Johnson, Ind.

Kunz	Norton	Sullivan, N. Y.	Yates
Lee, Tex.	Sabath	Taylor, Colo.	Yon
McCormick, Ill.	Shreve	Tinkham	
Michaelson	Stedman	White	
Montague	Stevenson	Wright	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. Chindblom (for) with Mr. O'Connor of Louisiana (against).
 Mr. Shreve (for) with Mr. Igoe (against).
 Mr. Beedy (for) with Mr. Montague (against).
 Mr. Michaelson (for) with Mr. Griffin (against).
 Mr. White (for) with Mr. Hammer (against).
 Mr. Johnson of Illinois (for) with Mr. Stedman (against).
 Mr. Curry (for) with Mr. Stevenson (against).
 Mr. Dickinson (for) with Mr. Kurtz (against).
 Mrs. McCormick of Illinois (for) with Mrs. Norton (against).
 Mr. Dallinger (for) with Mr. Doyle (against).
 Mr. Johnson of Indiana (for) with Mr. Wright (against).
 Mr. Yates (for) with Mr. Lee of Texas (against).
 Mr. Tinkham (for) with Mr. Sabath (against).
 Mr. Burdick (for) with Mr. Sullivan of New York (against).
 Mr. James (for) with Mr. Yon (against).

Until further notice:

Mr. Chase with Mr. Taylor of Colorado.

Mr. Hall of North Dakota with Mr. Hudspeth.

Mr. O'CONNELL of New York. Mr. Speaker, I make the same announcement I made with reference to the last roll call with respect to the gentlewoman from New Jersey, Mrs. NORTON, who is absent on account of illness. If she were here, she would vote "no."

The result of the vote was announced as above recorded; and the Chair appointed as conferees on the part of the House Messrs. HAWLEY, TREADWAY, BACHARACH, GARNER, and COLLIER.

COORDINATION OF THE PUBLIC-HEALTH ACTIVITIES OF THE GOVERNMENT

Mr. PARKER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8807) to provide for the coordination of the public-health activities of the Government, and for other purposes, with a Senate amendment, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 6, strike out lines 20 to 24, inclusive, and lines 1 and 2 on page 7.

Mr. GARNER. Mr. Speaker, reserving the right to object, as I understood the gentleman in private conversation a moment ago, this arrangement is entirely agreeable to the minority?

Mr. PARKER. Yes; it has been taken up with the minority.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman explain the purport of the Senate amendment?

Mr. PARKER. It strikes out two—

Mr. STAFFORD. I understood that, but will the gentleman explain the purport of the amendment?

Mr. PARKER. It strikes out the provision in the House bill creating two additional places. The Senate bill strikes them out.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. PARKER]?

There was no objection.

The Senate amendment was agreed to.

RANK OF MEDICAL OFFICER ASSIGNED TO THE WHITE HOUSE

Mr. TILSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 2515, and consider the same, an identical bill having been passed unanimously by the House and sent to the Senate, but the Senate passed the Senate bill rather than the House bill. Both Houses have unanimously passed the same bill in substance, but not the identical bill in a parliamentary sense.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

S. 2515

An act allowing the rank, pay, and allowances of a colonel, Medical Corps, United States Army, or of a captain, Medical Corps, United States Navy, to any medical officer below such rank assigned to duty as physician to the White House

Be it enacted, etc., That the officer of the Medical Corps, United States Army, or of the Medical Corps, United States Navy, below the rank of colonel or captain, respectively, who is now, or hereafter may be assigned to duty as physician to the White House, shall have the temporary rank and the pay and allowances of a colonel, Medical Corps, United States Army, or of a captain, Medical Corps, United

States Navy, while so serving: *Provided*, That the officer now assigned to that duty shall have the rank, pay, and allowances herein provided from March 6, 1929, the date of assignment as such.

The SPEAKER. Is there objection?

Mr. CRAMTON. Reserving the right to object, has the gentleman from Connecticut any assurance that if we take this action the Senate will lay aside the House bill, or does the gentleman intend to ask that the House bill be returned?

Mr. TILSON. That is my intention.

Mr. CRAMTON. My recollection is that in the last session we came near passing the same bill twice. I hope the gentleman will ask for the recall of the House bill.

Mr. TILSON. I shall do so if this bill is passed.

Mr. GARNER. It is not the intention of this bill to continue the rank of these gentlemen after they leave this position.

Mr. TILSON. Not at all; it applies to the position and not to the individual.

Mr. GARNER. It applies to any medical officer who may be appointed to the White House?

Mr. TILSON. Yes.

Mr. GARNER. And they will not say when he leaves that he has the rank and you ought not to take it away from him?

Mr. TILSON. That is my interpretation.

Mr. RANKIN. It provides for only one appointment.

Mr. TILSON. Only one at a time.

Mr. HOWARD. Mr. Speaker, reserving the right to object, and I shall not object, but I would like to ask the majority leader, since he has the matter in charge, if he will not be kind enough to introduce a similar measure in behalf of the physician assigned to the House of Representatives.

Mr. TILSON. I should think that would be a matter that the committee in charge of naval affairs in this House should consider. This legislation comes from the Committee on Military Affairs because it is a general and not a private bill relating to any particular individual.

Mr. HOWARD. I know that that would be the regular way, but a mere suggestion from the majority leader would be kindly received by the committee.

Mr. TILSON. The gentleman is very kind, but I think the matter should take its regular course.

The bill was ordered to be read a third time, was read the third time, and passed.

Mr. TILSON. Mr. Speaker, I ask that a message be sent to the Senate recalling House bill 6848.

The SPEAKER. The Chair thinks that it is within the power of the Senate to lay the House bill on the table.

Mr. TILSON. If it has been thus acted upon in the Senate, that is sufficient.

EXTENSION OF REMARKS ON RESOLUTION SENDING THE TARIFF BILL TO CONFERENCE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days to extend their remarks on the rule passed to-day sending the tariff bill to conference.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BRIGHAM. Mr. Speaker, my vote is registered in favor of sending the tariff bill to conference without instructions to the House conferees, because this is the usual procedure followed by the House, and because I have full confidence that the House conferees will consider the evidence and can be trusted to adjust fairly the rates and provisions in disagreement between the House and the Senate.

It is generally conceded that the conferees will accept the higher rates on agricultural products carried by the Senate bill, particularly when good cause can be given for the adoption of these higher rates. The farmers of my State are particularly interested in higher rates of duty upon milk and cream, and maple sugar and syrup, which are carried in the Senate bill.

However, I am not one who believes agriculture can prosper with the lessening of the prosperity of industry. In fact, I believe the American market, which is at its best when the American workman is fully employed, is the best market for the American farmer and I am confident that prosperity of the American farmer depends in a large measure on having thriving industries which will employ at good wages large numbers of workmen. The farmers on my district and our other interests as well, are looking for fair adjustments of the industrial schedules and are willing, I believe, that higher rates of duty shall prevail when it can be shown that such higher rates are necessary to assure prosperity to American industries.

SLATE SCHEDULE

The people of the first Vermont district are particularly interested in the increase of 10 per cent ad valorem on slate, which was added in the Senate bill.

The principle regions of slate production are New York, Vermont, Maryland, Pennsylvania, Maine, and Virginia. The principle market for slate products is the eastern part of the United States, which foreign competitors can reach with low water transportation rates.

The industry is operated in small units by independent producers. The brief of the National Slate Association shows that 39 out of a total of 157 quarries have closed since the war. The number of men usually employed in the quarries now operating is about 6,000, but a good portion of this 6,000 have been out of work during the past few months.

A letter from the Department of Commerce shows that the industry is running below capacity, is paying good wages with a small margin. The Department of Commerce says:

As a result of this competition, the slate market is not strong, the quarries and mills running far below capacity during much of the year. One of the largest companies producing roofing slate in Vermont operated only 36 hours a week from December, 1928, until the end of March, 1929. During the spring and summer there is greater activity.

Wages are relatively high, since the quarries are in small communities, where living expenses are lower than in the larger cities. Wages range from \$3 to \$5.75 per day, but, as noted above, the work is intermittent.

The average margin of profit on Vermont slate is small. When the market is active the profit may be reasonably high, but in dull seasons many operators sell at a very small profit or even at a loss, in order to keep their stock moving, thus keeping their quarries in operation and maintaining their labor force ready for the active season.

COMPETITIVE CONDITIONS

Vermont quotations for unfading slate, punched, range from \$19 to \$20 per square for best quality, with 10 per cent discount to jobbers.

Cost of delivery to New York rate points is \$1.65 per square, making total net cost \$18.75 per square delivered to New York rate points.

A letter from the Pennsylvania Slate Institute to Hon. W. R. COYLE shows slate from Norway, examined by Professor Plank, of Lafayette College, and reported by him, to be of excellent quality, equal to any of the colored slates of Vermont, offered at price of \$11 per square laid down in New York. This difference of \$7.75 per square between slate of foreign and domestic production, or 70 per cent, shows a competition which threatens to ruin the roofing-slate industry of this country unless adequate protection is given.

The competitive situation with respect to structural and electrical slate is even worse.

A letter from the United States Tariff Commission, signed by F. L. Koch, chief ceramics division, shows the price of electrical or structural slate from Italy laid down in New York City as follows:

	Per square foot
From Italy:	
Value, f. o. b. Genoa	\$0.1350
Ocean freight	.0236
Other charges	.0179
Total, c. i. f. New York City	.1765
Duty, 15 per cent of \$0.135	.0203
Total value, duty paid, New York City	.1968

The Tariff Commission reports concerning the prices of structural and domestic slate as follows:

The average selling prices in 1927 for domestic electrical and structural slate, as reported by the Bureau of Mines, Department of Commerce, were as follows:

	Cents per square foot
Electrical slate	80
Structural and sanitary slate	39

The Tariff Commission explains that there have been included in the average of the prices of the domestic production much low-cost material while the imported is all of the better grade, but even so there is a difference between the imported and the lowest-priced domestic of 19.32 per foot or almost 100 per cent after paying present duties.

On the basis of these figures furnished by the Tariff Commission the Senate rates providing for an increase in ad valorem duty from 15 per cent to 25 per cent is a very modest one.

MARBLE SCHEDULE

The marble industry is one of the most important of the district I represent and gives employment to large numbers of men. The rates in the tariff act of 1922 were not changed by the schedules adopted by the House but a change was made in the wording by including polished marble with rubbed marble in the class dutiable at 3 cents per superficial foot. This would result in an actual lowering of the rates because polished marble, under the schedule of 1922, took a rate of 50 per cent

ad valorem. The polishing process is an expensive manufacturing process and is entitled to at least the same protection which it has enjoyed under the Fordney-McCumber Act. The Senate realized the injustice of the House rates and provided an additional rate of 3 cents per foot for polished marble, which is absolutely necessary for the industry to meet foreign competition.

There are many other rates which are of interest to the industries of Vermont, but these I will not take time to explain here. I have full confidence these will be given due consideration and just treatment by the conferees of the House and I am willing to leave my case in their hands.

LEAVE OF ABSENCE

By unanimous consent the following leave of absence was granted:

To Mr. GRIFFIN, for an indefinite period, on account of illness.

To Mr. HALL of North Dakota (at the request of Mr. BURNES), on account of death in family.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 476. An act granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes; to the Committee on Pensions.

S. 1293. An act to amend an act entitled "An act to increase the pensions of certain maimed veterans who have lost limbs or have been totally disabled in the same, in line of duty, in the military or naval service of the United States; and to amend section 4788 of the Revised Statutes of the United States by increasing the rates therein for artificial limbs," approved February 11, 1927 (U. S. C., Supp. 1, title 38, sec. 168a); to the Committee on Invalid Pensions.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2673. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a bridge across the Arkansas River at or near the city of Ozark, Franklin County, Ark.;

H. R. 5616. An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes;

H. R. 5672. An act to abolish the Papago Saguaro National Monument, Ariz., to provide for the disposition of certain lands therein for park and recreational uses, and for other purposes;

H. R. 6123. An act to allow credit to homestead settlers and entrymen for military service in certain Indian wars;

H. R. 6133. An act granting the consent of Congress to the township of Aurora, Ill., to construct, maintain, and operate a free highway bridge across the Fox River at or near the village of North Aurora, Ill.;

H. R. 8156. An act to change the limit of cost for the construction of the Coast Guard Academy;

H. J. Res. 274. Joint resolution making an appropriation for participation by the United States in the International Conference for the Codification of International Law to be held at The Hague in 1930; and

H. J. Res. 278. Joint resolution making an appropriation for participation by the United States in the International Fur-Trade Exhibition and Congress to be held in Leipzig, Germany, in 1930.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3168. An act to amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," by adding thereto two new sections, to be numbered sections 8 and 9.

BILL PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval a bill of the House of the following title:

H. R. 5616. An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

ADJOURNMENT

And then, on motion of Mr. SNELL (at 3 o'clock and 20 minutes p. m.), the House adjourned until to-morrow, Thursday, April 3, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, April 3, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Legislative appropriation bill.

COMMITTEE ON THE POST OFFICE AND POST ROADS—SUBCOMMITTEE NO. 2

(10 a. m.)

In respect to rates of postage on semiweekly newspapers (H. R. 4853).

To provide that the rate of postage on semiweekly newspapers deposited in a letter-carrier office for delivery by its carriers shall be the same as the rate on weeklies (H. R. 6872).

To authorize the Postmaster General to prescribe certain regulations for the acceptance and delivery of prepaid first-class matter without stamps affixed (H. R. 9891).

To provide for the classification of extraordinary expenditures contributing to the deficiency of postal revenues (H. R. 10344).

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION—SUBCOMMITTEE ON HOSPITALS

(10.30 a. m.)

To consider proposals for the establishment of veterans' hospitals in Maryland and Pennsylvania.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BUTLER: Committee on the Public Lands. H. R. 3717. A bill to add certain lands to the Fremont National Forest in the State of Oregon; without amendment (Rept. No. 1050). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on the Public Lands. H. R. 9849. A bill validating certain applications for and entries of public lands, and for other purposes; with amendment (Rept. No. 1051). Referred to the Committee of the Whole House on the state of the Union.

Mr. ENGLEBRIGHT: Committee on the Public Lands. H. R. 10581. A bill to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes; without amendment (Rept. No. 1052). Referred to the Committee of the Whole House on the state of the Union.

Mr. HALL of Indiana: Committee on the District of Columbia. H. R. 10528. A bill to amend the act regulating the height of buildings in the District of Columbia, approved June 1, 1910; without amendment (Rept. No. 1053). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. H. R. 9630. A bill to make the regulations of the Secretary of Agriculture relating to fire trespass on the national forests applicable to lands the title of which reverted in the United States by the act approved June 9, 1916 (39 Stat. 218), and to certain other lands known as the Coos Bay wagon-road lands; with amendment (Rept. No. 1055). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HOOPER: Committee on War Claims. H. R. 1592. A bill for the relief of William Meyer; without amendment (Rept. No. 1054). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRUNNER: A bill (H. R. 11325) to regulate the shipment in interstate commerce of pistols, revolvers, shotguns or rifles, machine guns, or any firearms which can be concealed on the person; to the Committee on Interstate and Foreign Commerce.

By Mr. BOWMAN: A bill (H. R. 11326) to amend section 39 of title 39 of the United States Code; to the Committee on the Post Office and Post Roads.

By Mr. EDWARDS: A bill (H. R. 11327) for the erection of a suitable monument or memorial at Savannah, Ga., to commemorate the founding of the colony of Georgia and colonial and Revolutionary battles; to the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 11328) to extend the restrictive period against alienation, lease, mortgage, or other encumbrance of any interest of restricted heirs of members of the Five Civilized Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. MORGAN: A bill (H. R. 11329) to prevent deceit and unfair prices that result from the unrevealed presence of substitutes for virgin wool in woven or knitted fabrics purporting to contain wool and in garments or articles of apparel made therefrom, manufactured in any Territory of the United States or the District of Columbia, or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. OLIVER of New York: A bill (H. R. 11330) to amend the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. KVALE: A bill (H. R. 11331) to extend the privileges of compensation and hospitalization to certain American citizens; to the Committee on World War Veterans' Legislation.

By Mr. GIBSON: A bill (H. R. 11332) to authorize the erection of a Veterans' Bureau hospital in the State of Vermont and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. PRITCHARD: A bill (H. R. 11333) to establish an assay office at Murphy, Cherokee County, N. C.; to the Committee on Coinage, Weights, and Measures.

By Mr. CARTER of Wyoming: A bill (H. R. 11334) to authorize the Secretary of the Interior to grant certain oil and gas prospecting permits and leases; to the Committee on the Public Lands.

By Mr. PRITCHARD: A bill (H. R. 11335) amending chapter 209, Thirty-seventh Statutes, page 189, approved July 6, 1912, being an act entitled "An act for the transfer of the so-called Olmstead lands, in the State of North Carolina, from the Solicitor of the Treasury to the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. HASTINGS: Resolution (H. Res. 199) referring to the Court of Claims the claim of the Creek Nation of Indians for compensation for lands acquired from them by the United States in Georgia and Alabama, and for other purposes; to the Committee on Indian Affairs.

By Mr. CABLE: Joint resolution (H. J. Res. 286) proposing an amendment to the Constitution of the United States providing for the election of a President if the President elect dies or fails to qualify; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. MOORE of Ohio: Joint resolution (H. J. Res. 287) to adopt an official flag code of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLACK: A bill (H. R. 11336) to reimburse Andrew H. Mills and William M. Mills, copartners carrying on business under the firm name and style of Mills Bros., owners of the steamship *Squantum*, for damage to said vessel; to the Committee on Claims.

Also, a bill (H. R. 11337) for the relief of Joseph N. Marin; to the Committee on Naval Affairs.

By Mr. CABLE: A bill (H. R. 11338) for the relief of Henry Fanshier; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 11339) granting a pension to John Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11340) granting a pension to Magdalena Mispagel; to the Committee on Invalid Pensions.

By Mr. CARLEY: A bill (H. R. 11341) for the relief of the Union Ferry Co. of New York and Brooklyn, owners of the ferryboat *Montauk*; to the Committee on Claims.

Also, a bill (H. R. 11342) for the relief of William A. Reithel; to the Committee on Claims.

By Mr. CRAIL: A bill (H. R. 11343) granting an increase of pension to Mrs. Henry C. Darrah; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11344) granting an increase of pension to James F. Hopkins; to the Committee on Pensions.

By Mr. ESTERLY: A bill (H. R. 11345) granting an increase of pension to Amanda Wade; to the Committee on Invalid Pensions.

By Mr. HALL of Illinois: A bill (H. R. 11346) granting an increase of pension to Mildred C. Adel; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 11347) granting an increase of pension to Mary E. Bigham; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 11348) granting a pension to Mary A. M. Sparks; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 11349) granting an increase of pension to Louisa Gilbert; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 11350) granting a pension to William Larson; to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 11351) granting an increase of pension to Martha Van Winkle; to the Committee on Invalid Pensions.

By Mr. PRITCHARD: A bill (H. R. 11352) granting Harry L. Baumgardner a disability rating of 52 per cent from date of discharge from military service to March 19, 1928; to the Committee on Military Affairs.

Also, a bill (H. R. 11353) for the relief of Laura E. Alexander; to the Committee on Claims.

Also, a bill (H. R. 11354) granting back compensation to Robert S. Ramsey; to the Committee on Military Affairs.

Also, a bill (H. R. 11355) granting a pension to John S. Suderth; to the Committee on Pensions.

Also, a bill (H. R. 11356) granting a pension to Mexico Shelton; to the Committee on Pensions.

Also, a bill (H. R. 11357) granting a pension to Robert E. L. Tweed; to the Committee on Pensions.

Also, a bill (H. R. 11358) granting a pension to Nancy E. Bridges; to the Committee on Pensions.

Also, a bill (H. R. 11359) granting an increase of pension to Mary E. Moore; to the Committee on Pensions.

Also, a bill (H. R. 11360) for the relief of Ben F. Draper; to the Committee on Claims.

By Mr. VINCENT of Michigan: A bill (H. R. 11361) granting an increase of pension to Amanda E. Blackrick; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 11362) for the relief of J. M. Heiskell, Henry Maymon, and D. T. Taylor to the use of A. J. Riesto; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6242. By Mr. BECK: Petition of Patrick Callahan and 139 other citizens of Philadelphia, to secure speedy consideration and passage of House bill 2562 and Senate bill 476; to the Committee on Pensions.

6243. Also, petition of John J. Diskin and 24 other citizens of Philadelphia, to secure speedy consideration and passage of House bill 2562 and Senate bill 476; to the Committee on Pensions.

6244. By Mr. DAVENPORT: Petition of board of trustees of the village of Ilion, N. Y., favoring House Joint Resolution 167, for the purpose of making October 11 a national memorial day in honor of Gen. Casimir Pulaski; to the Committee on the Judiciary.

6245. By Mr. ESTEP: Memorial of city clerk, Cambridge Springs, Pa., to make October 11 General Pulaski's memorial day; to the Committee on the Judiciary.

6246. Also, memorial to adopt October 11 as General Pulaski's memorial day, forwarded by city council of the city of Monessen, Pa.; to the Committee on the Judiciary.

6247. By Mr. HUDSON: Petition of Sunday School Association of Lancaster County, district No. 22, Quarryville, Pa., urging prompt consideration of House bill 9986, a bill to protect the motion-picture industry against unfair trade practices and monopoly, etc.; to the Committee on Interstate and Foreign Commerce.

6248. By Mrs. LANGLEY: Petition of James L. Lakes, Everett Isaacs, J. H. Gabbard, and 58 other citizens of Jackson County, Ky., urging the speedy consideration and passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6249. By Mr. FRANK M. RAMEY: Petition of Earl Boston and 33 other citizens of Macoupin County, Ill., urging support of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6250. By Mr. ROWBOTTOM: Petition of James E. Jones and others of Mount Vernon, Ind., that Congress enact into law the proposed Stalker amendment to the United States Constitution; to the Committee on the Census.

6251. By Mr. SELVIG: Petition of Mrs. H. B. Lane, president Ninth District Legion Auxiliary, Red Lake Falls, Minn., urging the enactment of the Johnson bill; to the Committee on World War Veterans' Legislation.

6252. By Mr. UNDERHILL: Petition of the common council of the city of Malden, Mass., in commemoration of the death of Gen. Casimir Pulaski; to the Committee on the Judiciary.

6253. By Mr. VINCENT of Michigan: Petition of residents of Merrill, Mich., urging more liberal pension legislation for veterans of the Spanish-American War; to the Committee on Pensions.

SENATE

THURSDAY, April 3, 1930

(Legislative day of Wednesday, April 2, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate resumes the consideration of the unfinished business, and the Senator from Nebraska is entitled to the floor.

DEFICIENCY APPROPRIATIONS FOR DEPARTMENT OF JUSTICE

Mr. JONES. Mr. President, I would like, if possible, to have the Senator from Nebraska yield to me, that I may submit a report and ask for the immediate consideration of a joint resolution. I think it will take but a minute or two. It is a very urgent deficiency appropriation carried in a joint resolution which has passed the House. The Committee on Appropriations had a meeting with reference to it this morning, and I should like to report it unanimously if the Senator will yield for that purpose.

Mr. NORRIS. Mr. President, I can not very well refuse to yield for that purpose, and yet at the same time I have been importuned by seven or eight different Senators with reference to bills which they would like to call up this morning and dispose of. They all say the measures will not lead to debate. However, if I begin yielding for that purpose, it means that I am not going to get started to-day with the unfinished business. We took a recess last night with the express understanding that we would proceed immediately this morning with the consideration of the unfinished business. I think there might be an exception made in a case of a deficiency appropriation, but I hope it will not be used as a precedent for the submission of similar requests.

The VICE PRESIDENT. Does the Senator from Nebraska yield for the purpose indicated?

Mr. BORAH. Mr. President, before consent is granted I would like to know what the measure is?

Mr. JONES. It is a joint resolution appropriating \$425,000 for the expenses of United States marshals and their deputies in transporting prisoners, and so on; also mileage and per diem of jurors, and for witnesses in connection with activities of the Department of Justice in the enforcement of law.

Mr. NORRIS. First, Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside for the purpose of proceeding to the consideration of the joint resolution about to be reported by the Senator from Washington.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. JONES. Mr. President, from the Committee on Appropriations I report back favorably, without amendment, the joint resolution (H. J. Res. 283) making additional appropriations for certain expenses under the Department of Justice for the remainder of the fiscal year 1930, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes

herein set forth under the Department of Justice for the remainder of the fiscal year ending June 30, 1930, namely:

For salaries, fees, and expenses of United States marshals and their deputies, including the same objects specified under this head in the act making appropriations for the Department of Justice for the fiscal year 1930, \$425,000.

For mileage and per diems of jurors; for mileage and per diems of witnesses and for per diems in lieu of subsistence; including the same objects specified under this head in the act making appropriations for the Department of Justice for the fiscal year 1930, \$640,000.

For the support of United States prisoners, including the same objects specified under this head in the act making appropriations for the Department of Justice for the fiscal year 1930, \$1,600,000.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Gillett	McKellar	Steiwer
Baird	Glenn	McNary	Stephens
Barkley	Goff	Metcalf	Sullivan
Bingham	Goldsborough	Moses	Swanson
Black	Gould	Norbeck	Thomas, Idaho
Blease	Hale	Norris	Thomas, Okla.
Borah	Harris	Oddie	Townsend
Bratton	Harrison	Overman	Tydings
Brookhart	Hatfield	Phipps	Vandenberg
Capper	Hayden	Pine	Wagner
Caraway	Hebert	Robinson, Ind.	Walcott
Connally	Heflin	Schall	Walsh, Mass.
Copeland	Howell	Sheppard	Walsh, Mont.
Couzens	Johnson	Shipstead	Watson
Dale	Jones	Shortridge	Wheeler
Dill	Kean	Simmons	
Fess	Kendrick	Smoot	
George	McCulloch	Steck	

Mr. NORRIS. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] and the junior Senator from Wisconsin [Mr. BLAINE] are necessarily absent from the city.

The senior Senator from North Dakota [Mr. NYE] is detained from the Chamber on account of illness in his family.

Mr. SHEPPARD. I wish to announce that the Senator from Missouri [Mr. HAWES], the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I also wish to announce that the junior Senator from Tennessee [Mr. BROCK] is absent because of illness in his family.

I also desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

Mr. NORBECK. I wish to announce that my colleague [Mr. McMASTER] is unavoidably absent from the city, and that he will necessarily be absent for some time. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum is present.

CANCELLATION OF FEDERAL RESERVE BANK STOCK

Mr. WALCOTT. Mr. President, I desire to enter a motion to reconsider the vote by which the Senate passed the bill (S. 2666) to amend sections 6 and 9 of the Federal reserve act, and for other purposes, in order to facilitate the cancellation of Federal reserve bank stock in certain cases where member banks have ceased to function. The bill was passed by the Senate on day before yesterday. I make the motion for the reason that the bill (H. R. 6604) to amend sections 6 and 9 of the Federal reserve act, and for other purposes, which is almost identical, has passed the House and is now before the Senate Committee on Banking and Currency, and has been unanimously approved by that committee. The only change in the House bill is a matter of striking out six or eight words in the title.

Mr. NORRIS. Of course, the Senator has a right to enter his motion to reconsider, but I hope he does not desire to ask for action upon it at this time?

Mr. WALCOTT. I am entirely satisfied merely to enter the motion to reconsider.

The VICE PRESIDENT. The motion to reconsider will be entered.

MUSCLE SHOALS

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 49) to provide for the national defense by the creation of a corporation for the operation of the Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes.